

Relationship between gun ownership and criminality ?

FACTS AND FIGURES

Impact new gun legislation Belgium



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1) Introduction

This document is a brief summary of the Dutch text available on this website.

The purpose of this document is to give objective figures from official sources about the relationship between gun ownership and crime/homicide/suicide.

Today both the anti-gun and the pro-gun groups use figures to prove that they are correct. Often the source of these figures is very unclear ...

This document contains the official figures for Belgium. The figures are then related to Countries used "Gun Bans" and "Gun Buybacks", and with high firearm ownership.

2) Impact new Belgian gun legislation ?

In May 2006 the Belgian Parliament approved a new gun legislation, after a racially inspired shooting incident killing 2 people and injuring a third in Antwerp. This new gun legislation became effective in June 2006.

I. Situation until June 2006

The legislation (since 1933) made a distinction between 2 types of weapons

- 1) Sporting and Hunting rifles, which could be purchased freely by everyone over 18 years old. They were registered, but you did not need a licence.
- 2) Self-defence and military weapons, for which you needed to obtain a licence before the purchase (this category included all pistols/revolvers and semi-automatic rifles).

The Government estimates that there are about 2.000.000 weapons in Belgium, on a population of 10.000.000 inhabitants. This figure can be split as :

- 1) 870.000 legal weapons, officially registered and/or licensed.
- 2) 1.130.000 illegal weapons, not registered or licensed, and bought via the illegal circuit.

The weak point in the legislation before June 2006 was that there was no "cooling down" period of a couple of weeks foreseen between the purchase and the delivery of the weapon (a time period during which EG the Police could perform an investigation to see if the person was capable of owning an firearm).

The legal basis for such a cooling down period was available in the previous legislation, but was never put in practice.

II. Changes since June 2006

After the shooting incident, the Government implemented comprehensive gun related legislation. After only a couple of days of discussion, this new legislation was approved by Parliament.

At that time, several observers openly stated that Parliament did not allow sufficient time to discuss and develop fair and practical gun laws and processes.

The new laws are also draconian. Only officially licensed sporting shooters and hunters can legally possess firearms. All other lawful owners of licensed firearms are required to surrender to government their firearms, and do so without compensation.

With the exception of Jamaica, no other democratic Nation has imposed a total gun ban on all it's citizens. Even so, Jamaica provides some of it's well connected citizens with firearm licenses. England imposed a total handgun ban since Dunblane - regardless of that, firearm related crime has skyrocketed.

III. Impact on gun owners and government

The impact of this new legislation on both gun owners and government is very important:

1) Impact on the legal gun owner

- a. Only officially licensed sporting shooters and hunters can buy and use firearms. Additionally, that each license be valid for only 5 years and that every 5 years, the licensee must qualify for renewal.
- b. Citizens who were in the legal possession of firearms, are required to hand in all firearms to government via police. The Government refuses to pay compensation to those law abiding people for items which Government has suddenly deemed illegal. The citizen's only alternative is to have their firearms - often family heirlooms - rendered permanently inoperable - effectively destroyed. At least 500.000 owners of legal weapons are impacted, the financial loss can be as high as 500 million Euro's. (The owners of the illegal weapons are unknown, and as such not impacted by this new legislation).

2) Impact on the Government

- a. Expensive for the government : more staff on the weapons department of every Governor, more staff on the federal weapons department, more doctor visits for each renewal of a weapon license or recognition as sporting shooter, ...
- b. Many hundreds of policeman are working full time on the extra administration caused by this law. They can no longer be deployed for crime prevention, ...

3) Relationship between gun ownership and criminality ?

I. Introduction

Will this new legislation reduce criminality, homicide and suicide in Belgium ?

We will investigate this based on official figures from the Government.

Since for Belgium not all needed information is available (Police has no split of homicide per weapon type used) we will first study the German data. Afterwards we will present the available Belgian data.

II. German data

The German Department of Justice ("Bundeskriminalamt") publishes yearly a very detailed study about criminality in Germany. This official study is the source of the data used in the following paragraphs.

A. Number of guns in Germany

Germany counts 30 million guns on a total population of 82 million inhabitants¹. This can be split in

- 10 million legal / licensed weapons
- 20 million illegal / unlicensed weapons ²

So in Germany there are **35 weapons per 100 inhabitants**.

The number of weapons per inhabitant is in Germany **1,8 times higher than in Belgium**.

¹ Estimate by the Gewerkschaft der Polizei (GdP).

² Der Spiegel Online, 22 November 2006

B. Firearms and homicide/manslaughter

For homicide (794 attempts of homicide a year in Germany) a firearm is used in **14%** of all attempts (111 attempts). This **14%** can be split as follows : **10%** are victims of a robbery, **4%** die as a result of other criminal acts.

For manslaughter (1654 attempts a year) a firearm is used in **6%** of the cases (99 cases).

Attention : you have to make a distinction between the number of attempts for homicide/manslaughter (2,98 per 100.000 inhabitants) and the number of completed homicides/manslaughters (0,98 per 100.000 inhabitants as per the UNODC³)

On a total of **2,98** attempts to homicide/manslaughter per 100.000 inhabitants, the International Peace and Information Service calculated that **0,2** per 100.000 died due to firearms.

This means that there is 1 homicide/manslaughter for every 143.000 firearms in circulation.

A scientific study from the University of Dortmund calculated that in Germany a "**97%-3%**" rule applies : of all firearm crimes legal firearms are only used in **3%** of the cases (, and illegal firearms in **97 %** of the cases .⁴

This means that in Germany there are **0,008** firearm deaths per 100.000 inhabitants due to **legal** weapons, and **0,25** firearm deaths per 100.000 inhabitants due to **illegal** weapons.

Expressed in homicides per available firearm this means that there is 1 firearm homicide attempt per **1.587.000** legal weapons and 1 firearm homicide attempt per **98.500** illegal weapons.

Illegal weapons are **16 times** more dangerous than legal weapons.

A study by Doctor A Niederbacher from the University of Dortmund (who specialises since 2002 in sociological studies around firearms) comes to the conclusion that a strict gun legislation or gun ban can never prevent a shooting incident (like EG in Erfurt in Germany): "*Fälle wie in Erfurt sind durch schärfere Gesetze nicht zu verhindern. Aber legale Waffen zu verbieten ist falsch. Da liegt das Problem eher bei den illegalen Waffen. Wie soll man die verbieten? Illegal sind sie ohnehin. Und die sind in wesentlich gefährlicheren Händen und in wesentlich größerer Anzahl vorhanden*"

It is also interesting to see that there is a strong reduction of the number of firearm crimes in Germany. Between 1996 and 2005 the number of firearm crimes has been reduced with **35 %** : "*Die Fälle, in denen mit einer Schusswaffe gedroht oder geschossen wurde, sind damit seit dem Höchststand im Jahr 1996 mit 21.950 Fällen um 35,2 Prozent gesunken.*"⁵

In Germany there are also important geographical and demographical differences in firearm crimes :

³ http://www.unodc.org/documents/data-and-analysis/CTS9_by_indicator_public.pdf

⁴ Dr Arne Niederbacher, Institut für Soziologie, Universität Dortmund, auteur van "Faszination Waffen" in Der Spiegel (Nov 2006), and Article Becker&Becker Rechtsanwälte, Der Spiegel, december 1999

⁵ Polizeiliche Kriminalstatistik 2005, Bundesrepublik Deutschland, Bundeskriminalamt

- In large cities there are twice the number of murders and 15 times the number of robberies, compared to small cities/towns.
- Murder and robbery is typical for males in the age of 18-25 years. Inhabitants of foreign origin (8,5 % of the population) are suspects in 27,5 % of the murder and 30 % of the robbery cases.

C. Firearms and suicide

In Germany 11.000 to 12.000 persons commit suicide every year. This means that there are **14** suicides per 100.000 inhabitants.

So although that there are 1,8 times more weapons per inhabitant than in Belgium, the number of suicides lies at only **60 %** of the Belgian figure.

The higher number of firearms does not lead to more suicides.

For all suicides a firearm is only used in **8 %** of the cases.⁶

For every person that is killed by a firearm, 55 people commit suicide.
For every person that is killed by a **legal** firearm, **1.825** commit suicide.

⁶ Offizielle Zahlen des Statistischen Bundesamtes (StBA) zum Suizid mit Schußwaffen
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III. Belgian data

A. Number of firearms in circulation

The Belgian Government estimates that there are 2.000.000 firearms in total, of which 870.000 legal weapons and 1.130.000 illegal weapons.

This means that there are **20 firearms per 100 inhabitants**.

In Belgium there are less firearms than the European average. Countries that have up to 50 % more firearms per habitant include Switzerland, Germany, France, Finland, Norway and Sweden. Countries that have less firearms include the UK, Italy, Spain and the Netherlands.

B. Firearms and homicide/manslaughter

(remark for the non-Belgian reader : Belgium is a federal state, that consists out of a Flemish and Walloon community)

During discussions in the Flemish Parliament it was confirmed that in Belgium a "**95%-5%**" rule applies : From all firearm crimes only **0,83% tot 5%** are done with a legal firearm. So more than 95% of all firearm crimes are done with an illegal firearm.

This Belgian **95%-5%** rule is very similar with the German **97%-3%** rule.

In Belgium we had in 2004 in total **214** murder/manslaughter cases, so about **2** per 100.000 inhabitants. For the Flemish Community there were 115 murder/manslaughter cases.

The Police has no figures about the weapons used for those murders. But the Flemish "Agency for Health" maintains mortality statistics containing "causes of death". These statistics learn us that in the Flemish community 32 people died because of a firearm. So there are 32 firearm deaths on 115 violent deaths, meaning that in **28 %** of the homicide/manslaughter cases a firearm has been used.

This allows us to make the calculation for the whole of Belgium :

- In Belgium we had in 2004 **214** cases of murder/manslaughter.
- 28 % of these deaths are caused by firearms. This gives us **60** firearm deaths/year.
- Of those 60 firearm deaths, 95% die because of illegal firearms, and 5% die because of legal firearms. This gives us :
 - **3** deaths due to legal firearms.
 - **57** deaths due to illegal firearms.

In Belgium we have **0,028** firearm deaths per 100.000 inhabitants due to legal firearms, and **0,54** firearm deaths per 100.000 inhabitants due to illegal firearms.

There is **1 death per 290.000 legal weapons** and **1 death per 19.824 illegal weapons**.

Illegal firearms are as such 14,6 times more dangerous than legal weapons.

C. Firearms and suicide

In **Belgium** 7 people commit suicide every day.

There are 24 suicides per 100.000 inhabitants.

This suicide figure is amongst the highest in the world, and EG 2,4 times higher than the number of suicides in the USA (where there are at least 4 times more firearms).

For the **Flemish Community** (6 million inhabitants) we found the following data for 2005: there were 57.800 persons that died, 1.152 of those deaths committed suicide. From these suicides 91 men and 15 women committed suicide using a firearm.

So for the Flemish Community firearms are used in **9%** of the suicides.

Firearms represent in the Flemish community 0,24% of all deaths.

From all firearm deaths, **23%** die as a result of homicide/manslaughter and **67 %** die as a result of suicide.

For **Belgium** we can calculate that :

- for every homicide/manslaughter with a firearm, **40** people commit suicide
- for every homicide/manslaughter with a **legal** firearm, **800** people commit suicide

D. Risk of firearms compared to tobacco

To put the risk of firearm ownership in the right context, we make the comparison with smoking.

Official figures of the Belgian Government inform us that 22.500 persons die every year in Belgium as a direct result of smoking. Of these 22.500 deaths, about 2.500 die as a result of "passive smoking", and 19.500 die as a result of active smoking.

So smoking causes 8.000 times more deaths than **legal** firearms in Belgium. And smoking remains allowed, whereas firearm possession is forbidden ? A possible explanation is that tobacco sales results in high income for the Government (taxes), and because of this the 22.500 deaths due to smoking are less problematic than the 3 deaths due to legal firearms ?

E. Evolution of crime after the introduction of the Gun Ban.

The Gun Ban was implemented early June 2006.

The official crime statistics of the Federal Police indicate a **sudden and significant** increase of crime in 2006.⁷

This increase was in contrast with the decrease of crime we had seen in the 3 years before the introduction of the Gun Ban.

Increase of crime during 2006 compared to 2005 :

- total crime : + **4,5 %**
- Rapes : + **8 %**
- Burglary : + **13 %**
- Assaults : + **5,5 %**
- Violent deaths (homicide + manslaughter + unintentional killing) : + **7 %**

⁷ http://www.polfed-fedpol.be/crim/crim_statistieken/2006/reports/nl/staten/nat/nl_staten_2006_nat.pdf

4) International experiences with gun legislation

I. JAPAN - example for the anti-gun lobby.

Japan is often quoted as the classical example of a country with no gun possession and - as a result - very low homicide rates.

Is this perception correct ? NO, this is not correct at all :

1) Japan indeed has a "gun ban" implemented, only registered hunters can possess a firearm. So the number of firearms in Japan is extremely low.

2) The murder rate in Japan is **not** extremely low compared to other countries : In 2004 we had in Japan 1,1 completed homicides per 100.000 inhabitants ⁸. This means that Japan has **more** completed homicides than "heavily armed" countries such as Norway, Denmark and Germany. (source : UNODC ⁹)

3) Japan suffers from an extreme high level of suicides : with 28 suicides per 100.000 inhabitants the Japanese suicide level is much higher than any European country, and is about 2,8 times higher than the suicide rate in the USA.

Conclusion :

1) In Japan there are very few firearms.

2) Japan has a "normal" completed homicide rate (to be compared with European countries such as Norway, Denmark and Germany) .

3) Japan has an extreme high suicide rate, even 2,8 times higher than the USA.

⁸ <http://hsx.sagepub.com/cgi/reprint/12/1/136.pdf?ck=nck>

⁹ http://www.unodc.org/documents/data-and-analysis/CTS9_by_indicator_public.pdf, page 3 an 4

II. USA – example used by the anti-gun lobby

The USA is often named as a country with a high number of weapons and with a lot of criminality.

A. Number of weapons in the USA

In the USA at least **86 on 100 inhabitants** possess a firearm ¹⁰. So there are at least 258 million firearms, probably the highest number of firearms per inhabitant worldwide.

B. Firearms and homicide/manslaughter

The "International Peace Information Service" states that in 2003 there were **3,45** firearm homicides per 100.000 inhabitants.

Furthermore homicide is not only done with firearms in the USA. Also with non-firearms there were **2,25** homicides in 2003.

This is high compared to Europe, but **very low** compared to other countries on the American Continent : Ecuador 10 per 100.000, Brazilia 14 per 100.000, Venezuela 21 per 100.000, Colombia 62 per 100.000, Argentina 9,5 per 100.000, Costa Rica 6,5 per 100.000, Mexico 13 per 100.000, Panama 9,6 per 100.000, Venezuela 33 per 100.000, Paraguay 12,6 per 100.000, Ecuador 18,3 per 100.000, Guyana 13,8 per 100.000, El Salvador 31,5 per 100.000, ...

(just for info : in the Russian Federation there are **19,9** homicides per 100.000)

There is a clear reduction of crime in the USA : between 1996 and 2005 the number of homicides was reduced with **15%** and the number of robberies was reduced with **22%** ¹¹. And this although the number of firearms keeps increasing over time.

The International Peace Information Service comes to the conclusion "*In the USA in average 86 on 100 persons possess a firearm. The number of homicides that is committed with these arms remains within acceptable boundaries, and is very different from city to city*" (free translation from the Dutch text)

This difference between cities and states is very important, to understand crime in the USA. There are enormous differences in Gun Legislation, and enormous differences in Gun deaths.

But the cities/states that have a strict gun legislation, are also in the list of the cities/states with the highest number of homicides : Chicago, Detroit, Washington DC ¹², ...

¹⁰ International Peace Information Service, "Kleine Wapens », dd 2006

¹¹ FBI, http://www.fbi.gov/ucr/05cius/data/table_01.html

¹² FBI Uniform Crime Reports (UCR) for 2000.

Case Study : Washington DC :

Washington DC (with the most strict gun legislation of the USA) is the "murder capital" of the USA : After the introduction of the Gun Ban in 1976 homicide increased from **26,8 per 100.000 in 1976** to **80,6 per 100.000 in 1991**.

As from **1993** we see a gradual reduction of the number of homicides in Washington DC. This gradual reduction is **not** a result of the Gun Ban (which was already in place for 17 years with as only result an increase of the homicides with 300 %), but was the result of the "gentrification" (investments in new buildings/infrastructure/... and the arrival of new and richer inhabitants).

In **2005** there were still **35,4 homicides per 100.000** inhabitants (**6,3** times higher than the average for the USA).

In **2006** the "**crime emergency**" was put in place : strict control of youngsters, more financial means for the police, "youth development strategy", On 6 months time the criminality decreased with 18 %. Despite all this Washington DC is today still far above the homicide level of 1976 (introduction of Gun Ban), whereas for the rest of the USA the number of homicides was reduced with 40 % over this same period in time.

Except for geographical differences in violent crime in the USA, there are also important demographical differences. Specific demografic groups (representing 26 % of the population) are over represented in murder (84 %), drug trafficking (88%) and gun crime (82%).

Murder and homicide in large cities is said to be mainly caused by criminal gangs, often active in drug trafficking : **30%** of the murder in large cities is committed by criminals that are on parole/probation, **72%** of the murder suspects was already convicted for violent crime ¹³

C. Firearms and suicide

The USA, with 4 times more weapons per inhabitant than Belgium, has a much lower suicide rate.

In the USA only **10** per 100.000 inhabitants commit suicide.

This means that the USA only has **41%** of the suicide rate of Belgium.

And the number of suicides continues to drop.

The high number of weapons available does not lead to a higher number of suicides.

¹³ Bureau of Justice Statistic, "Felony defendants in large urban counties", 2002

III. Switzerland – example for the pro-gun lobby.

Switzerland is often named as a safe country with a high number of firearms

A. Number of Firearms in Switzerland

In Switzerland a military service is still in place. After their military service the Swiss men get their military rifle and ammunition with them to take home. As a result about 740.000 military rifles are stored in the Swiss homes.

Furthermore the Swiss possess a lot of private guns. Registration is not everywhere required, but estimates go up to 3 million legal weapons in Switzerland (on a population of 7,4 million).

So in Switzerland there are **40 weapons per 100 inhabitants**, twice as much as in Belgium.

B. Firearms and homicide/manslaughter

Criminality is very low in Switzerland.

In 2004 there were only 74 homicides ¹⁴, this means **0,98 per 100.000 inhabitants**.

This is only **49 %** of the number of homicides in Belgium.

So although that there are twice as much weapons, the number of homicide is much lower than in Belgium.

Remarkable is that also in Switzerland about **57%** of all murder suspects already have a criminal record. Also remarkable is that inhabitants from foreign origin (21% of Swiss population) are highly represented as murder suspect (55%) and as murder victim.

C. Firearms and suicide

In Switzerland there is a decrease of the number of suicides : from 25 per 100.000 in 1980 tot 19,8 per 100.000 in 2005

Despite the fact that in Switzerland there are twice the number of weapons of Belgium, the suicide rate is only **82 %** compared to Belgium.

¹⁴ Confédération Suisse, Office Fédéral de la statistique, Homicides et violence domestique 2000-2004, Neuchâtel 2006

IV. Efficiency Gun Ban ?

Several countries tried to implement a Gun Ban in the recent history, in an effort to reduce criminality. Let's have a look on how efficient this Gun Ban was in these countries.

A. Jamaica

Jamaica had around 1970 a murder rate of **11 per 100.000** inhabitants.

In **1974** a complete Gun Ban was introduced, someone who is found in possession of a firearm can go to prison for the rest of his life.

Afterwards the criminality exploded..

Firearms and homicide

After the Gun Ban the number of homicides exploded.

In 1980 there were 40 homicides per 100.000 inhabitants, in 2001 there were 1.100 homicides on a total population of 2,5 million inhabitants. The murder rate of **44 per 100.000 inhabitants** in 2001 is among the highest in the world.

But by 2005, the murder rate further increased to **60 murders per 100.000** inhabitants.

Despite the Gun Ban, the number of homicides has increased with **600%** over a period of 30 years.

Firearms and suicide

Suicide has always been very low in Jamaica, but is recently rising from **0,3 per 100.000 in 1985**¹⁵ to **3,1 per 100.000 in 2002**¹⁶

The Gun Ban in Jamaica is certainly not a success ...

¹⁵ World Health Organisation, Geneva, 2006

¹⁶ Jamaica Gleaner, « The act of suicide », Doctor Earl Wright, February 2002

B. Australia

Australia introduced in **1996** a **partial** Gun Ban.

About 650.000 legal weapons had to be handed in, but the owners received a financial compensation from the Government. This did cost the Australian Government (and tax payer) between 350 million and 500 million Australian Dollar.

Not all Guns were "banned" : on a total population of about 20 million inhabitants there are today still about **2,5 million legal weapons** left (owned by about 1 million legal firearm owners)¹⁷.

So even **after** the Australian Gun Ban, Australia still has 1,5 times more legal arms per inhabitant than Belgium before the Belgian Gun Ban.

The number of illegal weapons is unknown, but is clearly increasing : A study by the Government has EG confirmed that 16 % of all prisoners did possess a firearm in the year before their arrest¹⁸ Most of the time, this weapon was bought via the illegal circuit.

Also the in largest shooting incident of history (Port Arthur Massacre) a mentally disabled person (M Bryant) killed 35 persons and injured 37 other persons with **illegal** weapons. Despite the Australian Gun legislation that required a gun permit for the kind of weapons used (EG Colt AR-15) he was able to buy these guns on the illegal market without problems.¹⁹

The Australian Gun Ban did not contribute to a more safe society :

Firearms and homicide/manslaughter

After the introduction of the Gun Ban, the number of murders did **increase** from **319** (? Or 354 ? See remark below) **in 1996** to **365 in 2002**. After 2002 we see a gradual **reduction** of the number of murders to **293 in 2004**. But by 2006 the number of homicide victims did increase again till **301**.²⁰

Remark : the official figures from the Australian Institute of Criminology about the number of murders does not seem very consistent/reliable. In a press release dd 11 February 1999 this Institute confirms that in 1996 **319** murders took place, in December 2005 this same Institute reports that in 1996 **354** murders took place ? Also for other years we see important differences ...

The decrease in the number of murders since 2002 (6 years after the implementation of the gun ban) is **NOT** a result of the Gun Ban : We see that this decrease is mainly caused by less homicides using **knives**, and not by less homicides using **firearms**. The proportion of firearms in homicides did **increase** from 14% in 2002 tot 15% in 2004/2005, the proportion of the homicides with knives **decreases** from 35% in 2002 tot 31% in 2004/2005..²¹

See the official tables published by the Australian Government on the next page.

¹⁷ CNN, Geoff Hiscock, April 27, 2006

¹⁸ Australian Government, Institute of Criminology, « Nr 312 : Weapons, drugs and crime », may 2006

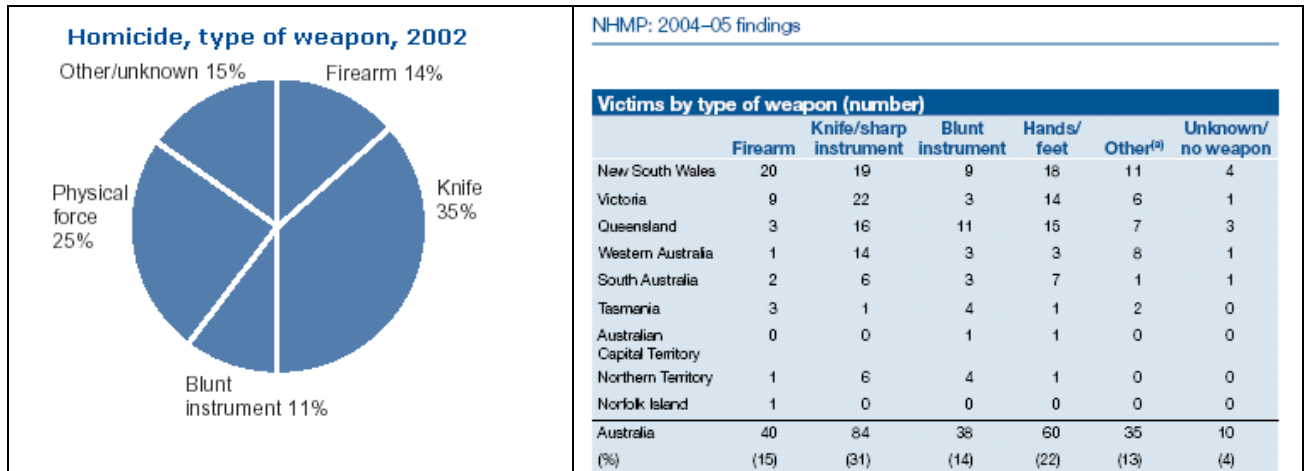
¹⁹ Transcript of Police Interview with M Bryant, <http://home.overflow.net.au/~nedwood/transcript.html>

²⁰ Australian Government, Institute of Criminology, <http://www.aic.gov.au/publications/rpp/77/rpp77.pdf>

²¹ Australian Government, Institute of Criminology, National Homicide Monitoring Program. 2004/2005

Official figures for 2002

official figures for 2004/2005

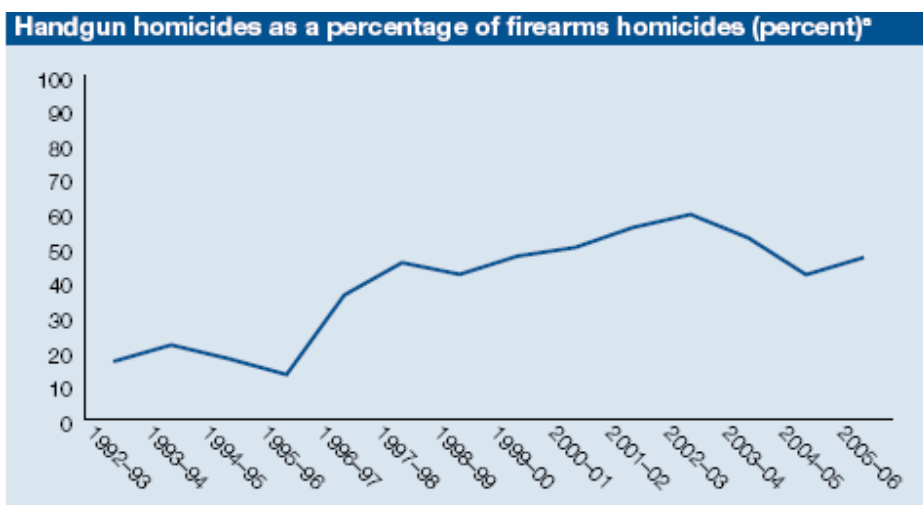


Also in Australia there is an important link between homicide and criminal gangs, both for victims and for offenders :

- we see that 48% of all male homicide victims already had a criminal record before being murdered²²
- we also see that 63 % of all homicide offenders had already criminal records prior to committing the murder.

Offenders with a criminal history								
	0	20	40	60	80	100%	n	
Males	[Bar chart showing 65%]						65	167
Females	[Bar chart showing 50%]						50	19
Persons ^a	[Bar chart showing 63%]						63	186

Due to the Gun Ban it is difficult to obtain **handguns**. Despite this, we see that since the introduction of the gun ban there is a strong **increase** in the proportion of (mostly illegal) handguns in the total homicide cases.



²² Australian Government, Institute of Criminology, National Homicide Monitoring Program.

Based on figures from the Australian Government we also see that **illegal** firearms are now used for 89 to 96 % of all firearm homicides.

Licence and registration status of firearms used in homicide

	Victims (n=53)		Offenders (n=46)			
	Licensed	Registered	Licensed	Registered	Unlicensed	Unregistered
New South Wales	1	0	1	1	19	19
Victoria	0	0	3	0	9	12
Queensland	0	0	1	1	4	4
Western Australia	0	0	0	0	2	2
South Australia	0	0	0	0	4	4
Tasmania	1	1	0	0	3	3
Australian Capital Territory	0	0	0	0	0	0
Northern Territory	0	0	0	0	0	0
Australia	2	1	5	2	41	44
Total %	4	2	11	4	89	96

* Excludes two offenders whose licensing and registration details were not known

Source: Australian Institute of Criminology, NHMP 2003–2004 [computer file]

After the introduction of the Gun Ban we have seen a strong **increase** in criminality :

- The number of "assaults" did increase from **9.000** per month in 1997 to **14.000** per month in 2003.
- "Sexual assault" did increase from **70** per 100.000 inhabitants in 1997 to **92** per 100.000 inhabitants in 2003.
- Robbery increased from 1997 to 2002, and is since 2004 back on the level of 1996 (30 per 100.000 inhabitants).

The number of prisoners increased from **88** per 100.000 inhabitants in **1988** to **123** per 100.000 inhabitants in **2004** (in Belgium there are **90** prisoners per 100.000 inhabitants).

Also a larger part of the prisoners is jailed for violent crime (increased from 38 % in 1988 to 47 % in 2004).

Firearms and suicide

The number of suicides did first strongly **increase** after the introduction of the Gun to later on **decrease**.

In **1996** there were **2393** suicides in Australia. After the Gun Ban in 1996 this increased suddenly in **1997** to **2720** and in **1998** to **2683**²³. Later on it decreased to **2213** in **2003**²⁴

This **sudden and important increase** of suicide in the 3 years after the Gun Ban, is completely caused by an increase in the group of the **adult male** population.

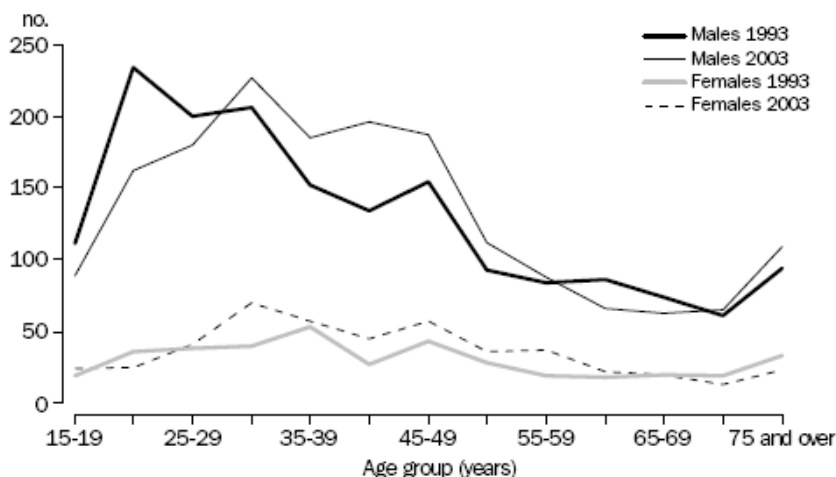
In the 5 years after the introduction of the Gun Ban, there were in total 427 extra suicides (compared to the level of 1996).

The decrease after the "peak" of **1997/1998** is **NOT** the result of the Gun Ban : On the one side there are still 2,5 million legal weapons, on the other side we see a decrease on ALL methods of suicide (not only on suicide by firearms).

Between **1997-2003** we see the following evolution :

- Suicide with firearms : - **136**
- Suicide by poisoning : - **202**
- Suicide by hanging : - **21**
- Suicide by other method : - **97**

SUICIDE, NUMBER OF DEATHS, 1993 AND 2003



The main difference between suicides in 1993 and 2003 is mainly the age on which men commit suicide.

With about 11,5 suicides per 100.000 inhabitants Australia (with a Gun Ban) has more suicides than the USA (with a very high number of weapons).

²³ Suicide in Australia:Trends and data for 1998,James E Harrison,Malinda Steenkamp

²⁴ Australian Bureau of Statistics, "Suicides, Recent Trends"

C. UK

After a shooting incident the UK introduced in **1997** a **partial** Gun Ban. Owner of legal/registered weapons had to hand in their firearms, but also in the UK they received financial compensation.

The UK Gun Ban is a ban on specific weapon types (handguns), not on all weapon types. After the gun ban there are at least **1.865.000 legal weapons** that remain in the UK (situation on 31/03/2005).²⁵ This is still an underestimate because on 1 "shotgun certificate" several firearms can be bought.

Also in the UK the Gun Ban was no success :

Firearms and Homicide/manslaughter

The UK always had a low murder rate, both before and after the Gun Ban.

After the introduction of the Gun Ban in 1997 the number of firearm deaths/severely wounded **increased** from **211** in 1998 tot **522** in 2005.²⁶ This is an increase with **247%**. When we also count the firearm victims with less severe wounds, there is an increase with **400%**.

The total homicide rate increased from **1,14** per 100.000 inhabitants in 1996 to **1,4** per 100.000 inhabitants in 2005 (with a peak of **1,8** per 100.000 inhabitants in 2002). In absolute figures this means that today in the UK there are **164 extra homicides** per year compared with the time period before the gun ban.

The United Nations even claim that after the introduction of the "gun ban" in the UK, the total number of murders (homicide+manslaughter+unintentional killing) did nearly **double** : it increased from **1,14** in 1996 (year of introduction of the gun ban) to **2,1** in 2004 ²⁷

As a result the UK (with a gun ban) had in 2004 a higher homicide level than some European countries with high gun possession (Germany, Belgium, Norway, France, ...)

Although handguns are "banned" in the UK, the Police did register in 2005 **4.671** crimes involving handguns.

Armed robberies with use of a firearm increased from **2.973** in 1998 to **4.120** in 2004 (+ 38 %).

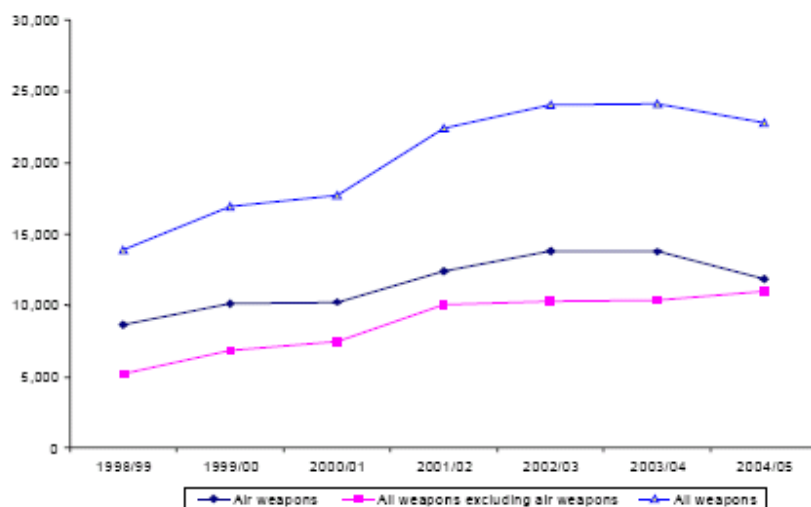
The UK Government claims however that the crime with firearms is reducing ? As you can read from the official graph on the next page, the Government includes "air weapons" in the firearm crime statistics. Criminality with air weapons is reducing, but criminality with firearms is increasing.

²⁵ Home Office Statistical Bulletin, Firearm Certificates, England/Wales 2004/2005 + Scottish Executive Publications, Firearm Certificate Statistics, Scotland 2005

²⁶ Home Office Statistical Bulletin, « Violent Crime Overview, Homicide and Gun Crime 2005/2006 », England and Wales

²⁷ United Nations Office on Drugs and Crime, 2007 study published on <http://hdrstats.undp.org/indicators/263.html>

Figure 3.1 Crimes reported to the police in which a firearm has been used



28

In 2005 the Police registered **11.084** crimes with firearms (excluding air weapons), an **increase** with **62 %** on 5 years time.

In **44%** of the firearm crimes, the criminals did shoot with the weapon. In **23 %** of the firearm crimes someone was hurt.

The number of illegal weapons increased strongly after the Gun Ban, the newspaper The Independent estimates that there are today **4.000.000** illegal firearms in the UK.

In December 2006 the British Government confirmed that crimes involving firearms and illegal firearm ownership has increased since the introduction of the Gun Ban : *"Crimes involving the use of firearms have more than doubled since the mid to late 1990's. This increase has occurred against a background of increasingly restrictive legislation and even more sophisticated public policy responses. At the same time, a small number of high-profile and shocking firearm homicides have raised considerably public concerns about the problem of illegal firearms"* ²⁹.

In January 2007 the UK press published that the Government lost the battle against the firearm crimes³⁰ : In 2006 armed robberies increased with 10%, and the number of people being confronted in their own house by an armed person increased with 46%.

In 2007 in total 26 young persons (average age 16 years) were murdered in the city of London. Never before so many young persons were killed in the UK. And 2008 will even be worse : in the first 6 months of 2008, in total 20 minor persons (younger than 18) were murdered in London.

Because of the increase in the criminality, the number of prisoners increased from **60.000** in **1997** to **80.000** in **2006**. With **148** prisoners per 100.000 inhabitants England and Wales have the highest number of prisoners of Western-Europe. (In Belgium there are **90** prisoners per 100.000 inhabitants). The Prison Reform Trust expects that by 2010 **100.000** persons will be jailed.³¹

²⁸ Home Office, Statistical Bulletin

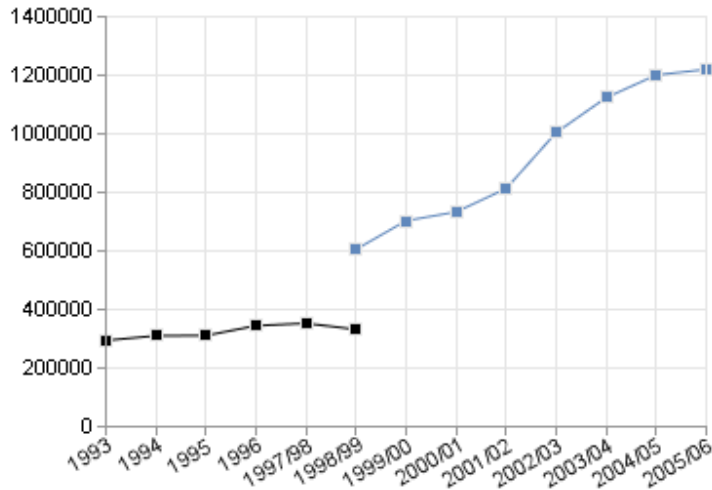
²⁹ Home Office, "Gun Crime : the market in and use of illegal firearms", December 2006

³⁰ The Guardian, Gun Crime : Labour losing control, 25.01.2007

³¹ Prison Reform Trust, "Prison Population Explosion", May 2003

The total evolution of violent crime in the UK is shown in the following graph ³²

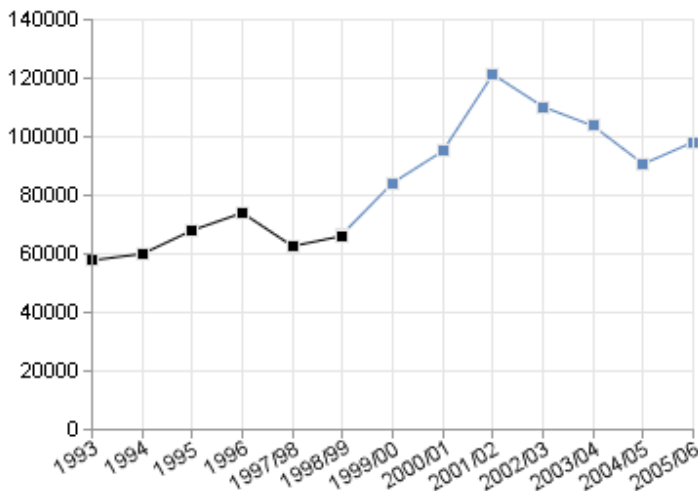
'Violent crime' - Long-term national recorded crime trend



Explanation of this graph : Gun Ban was introduced in 1997. The "jump" between the black and bleu curve is due to a change in reporting method. So only the evolution of the BLEU curve should be considered

The next graph gives the evolution of the armed robberies

'Robbery' - Long-term national recorded crime trend



Remark: As per the UK Government, this graph can have a error margin of 3%.

³² Home Office, Crime Statistics for England and Wales <http://www.crimestatistics.org.uk>
 Page 23 of 31 version 2.2 dd 09/01/2009
 Most recent version available on <http://www.wapenwet.info>

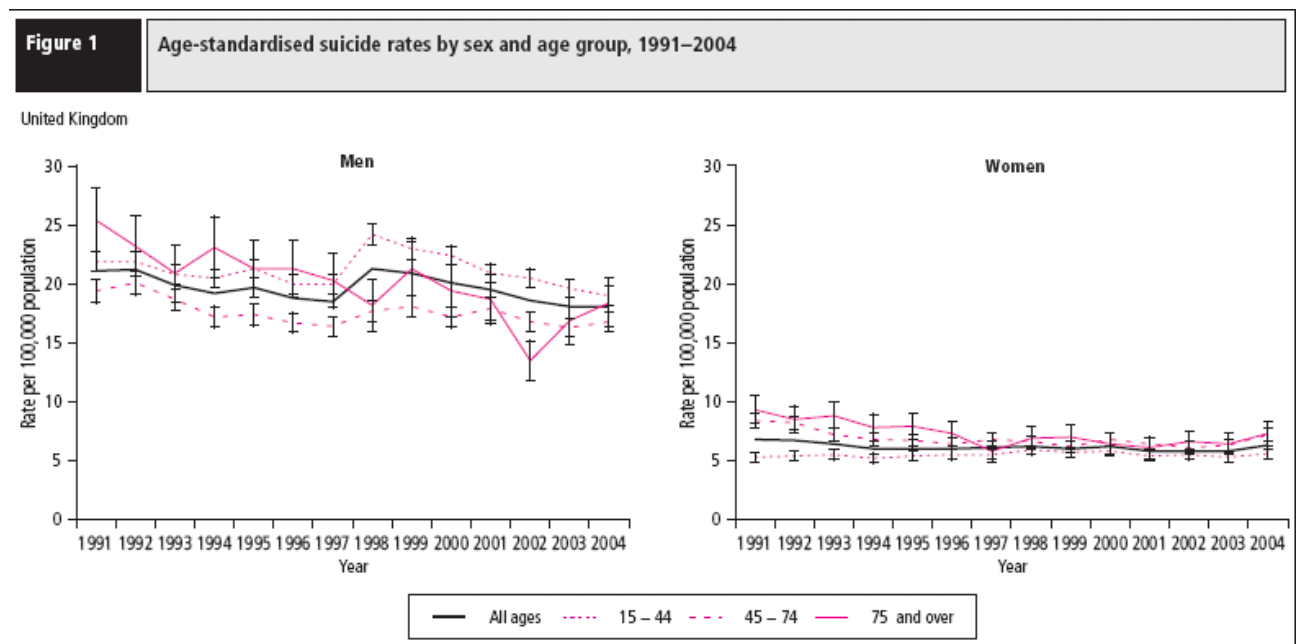
Firearms and suicide

The number of suicides was **decreasing** since 1991.

For **adult men** there was in 1997/1998 (after the introduction of Gun Ban) a **sudden and unexpected increase** of the number of suicides. In 2004 the suicide level of 1996 was reached again.

In the 5 years following the introduction of the Gun Ban, **720 extra suicides** took place (compared to 1997 level), mainly by adult men.³³

Evolution of suicides (per 100.000 adults)³⁴



Today there are about 11,75 suicides per 100.000 inhabitants. The suicide rate remains higher than the suicide rate of the USA.

³³ National Statistics, Suicide Statistics in the UK 1991–2002

³⁴ UK Government, National Statistics, Health Statistics Quarterly, nr 31, Autumn 2006

5) Point of view of political parties and general public

1. Political parties

In the emotional phase after the racist murders in Antwerp, all political parties supported the gun ban in Belgium.

In the months after the introduction of the Gun Ban, it became clear that the Gun Ban is impossible to implement and will probably not give the results that were expected.

End 2006/early 2007 several political parties proposed changes to the Gun Ban, but all modifications are currently still blocked by sp.a/spirit (socialists + left liberals).

Early October 2007 the specialised commission of the Parliament decided to postpone the full implementation of the new law (voted in may 2006) to October 2008.

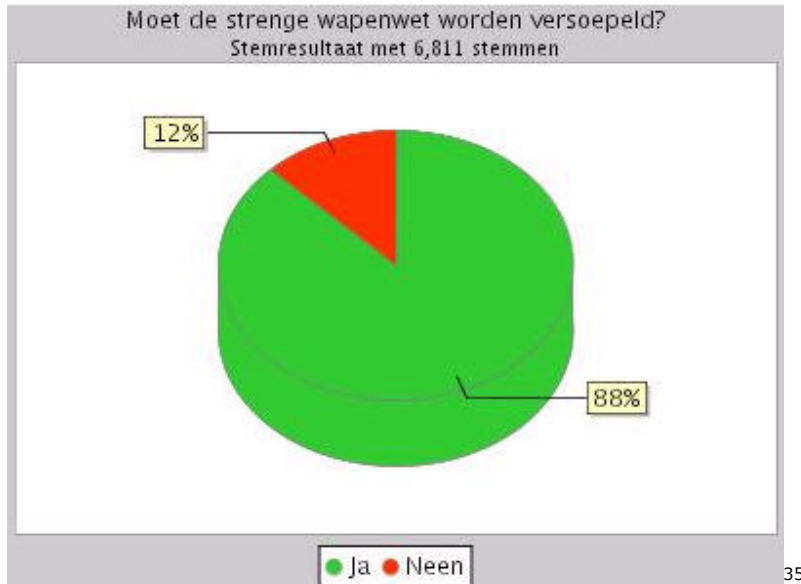
In July 2008 2 of the main political parties (CD&V + VLD) proposed changes to the gun legislation. The purpose was to remediate the problems caused by the gun law of 2006. All parties supported this change, except the socialist "sp.a/vlaamsprogressieven" and the green "Groen/Ecolo" who tried to block the improvements.

The main improvements implemented in July 2008 :

- Weapons licences have no longer a limited duration of 5 years. But the government will still check every 5 year to see if an individual gun owner still complies with all laws and reasons to possess arms.
- People who possessed a legal firearm purchased before 2006 can keep the firearm with ammunition.

II. General public

The quality magazine "Knack" organised a poll about the gun ban in February 2007 : 88 % voted for a modification of the gun ban to make it less strict, 12 % voted to not change the gun ban.



In practice the owners of guns do not respect the new legislation.

Originally they all had to present their guns for destruction or registration by November 2006 to the Police. Only 150.000 guns (on a total of 2.000.000) guns were presented. So only 7,5 % of the guns were timely handed over to the police, 92,5 % of the weapons were not handed in.

The Government saw no other possibility than to prolong the time period to hand in the guns until June 2007. But also today, nearly no new guns are handed in for registration or destruction.

As a result there is a new proposition discussed in Parliament to prolong the time period until 31 December 2007 ...

Currently the deadline for the gun owners to present their arms for registration or destruction is June 30th, 2007. However, mid May 2007 less than 10 % of the weapons have been presented to the Police. So end of June the Government will have to confirm that about 90 % of the gun owners do not follow the new gun legislation...

The vision of the sporting shooters can be formulated as "good men need no laws, and bad men are not made better by them" ...

In October 2007 an estimated 300.000 weapons (of the 1 million legal weapons + the estimated 1 million illegal weapons) were registered correctly as specified in the new law (gun permit of less than 5 years old).

³⁵ Bron : <http://www.knack.be/webpoll/result.do?code=KNK&pollid=105>

This means that about 700.000 weapons were transferred from the "legal" to the "illegal" circuit, thanks to this law. The owners risk 5 years of prison and/or a fine of 25.000 Euro. Example : in the small town of Dendermonde (43.000 inhabitants), the Police declared that 650 inhabitants risk prosecution, and that they risk in total **3250** years of prison !

A spokesman of the Minister of Justice said in a radio interview that several hundreds of thousands of those weapons would probably never be found again.

Since this new gun legislation increased significantly the number of illegal weapons in Belgium (which are 14,6 times more dangerous than legal weapons), this new gun legislation will have a negative impact on public safety and crime in Belgium.

In December 2007 the Supreme High Court (Grondwettelijk Hof) did destroy 2 articles of the new gun legislation, because they were not conform the Constitution. As a result, it is again possible to get a licence for a firearm without ammunition, without that you have to comply to the rules of the new legislation. Furthermore the law of November 23rd, 2007 was published, so that the full introduction of the Gun legislation (of May 2006) was further postponed to October 31st, 2008.

III. Lobby organisations

PRO-firearms lobbying is done by organisations such as wapenunie.be, AVDWL and Unact. They work with limited financial means, but they have the support of many thousands of firearm possessors. They can reach their members via specialised forums and email address list.

In time of elections, they distribute a "voting advice" towards arm possessors.

CONTRA-firearms lobbying is done by 2 types of organisations :

- Political parties (socialist party and green parties)
- **NGO's** such as Amnesty International, Red Cross, Ipirresearch, Vrede, PaxChristi,

...

Especially the NGO's have enormous financial means (a study calculated that they receive up to 720 million Euro subsidies per year in Belgium).

Several authors/journalists accused the NGO's of abusing money that was meant for development aid for local political lobbywork. (Publications by journalist T Debels and "stop armoede nu" action group).

Thanks to their enormous financial means, the contra-firearms lobby will probably have a larger political impact in Belgium than the pro-firearms lobby.

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6) Conclusion

The Gun Ban in Belgium will not reduce homicide/suicide/criminality, but risks on the contrary to increase the number of (firearm) deaths in Belgium.

1. The Gun Ban will not reduce homicide/manslaughter

More than 95% of homicides are committed with illegal weapons. The owners of illegal weapons will not hand in their weapons because of the Gun Ban.

Furthermore the majority of homicides is done using knives, not using firearms. The Government should act against people carrying knives on the street, not against people possessing legal firearms at home in their safe.

It is important that all weapons are registered. Statistics for Europe prove that with non-registered weapons 14,6 times more crimes are committed than with registered weapons. But the new legislation blocks registration : everyone who registers his weapon will have to hand in his weapon within 5 years (exception for officially licensed sporting shooters or hunters). As a result the majority of the 1.130.000 illegal weapons will remain unregistered, which increases the risk for public safety. Under the "old" legislation, about 870.000 firearms were registered, and 1.130.000 were estimated to be owned "illegally". On October 2007, less than 300.000 firearms have been registered correctly following the new legislation, so that nearly 1.600.000 firearms are now "illegally" owned. So the number of "illegal" arms has increased very significantly due to the new legislation, and the Government risks to lose all control on gun ownership.

A study by Doctor Niederbacher from the University of Dortmund also concludes that a Gun Ban will never stop shooting incidents.

The Gun Ban can lead to more (firearm) deaths :

- it will increase the number of illegal weapons, which are 14,6 times more dangerous than legal weapons.

- Many hundreds of police officers work full time on the extra administration caused by the Gun Ban, and can not be deployed for crime prevention.

- In the UK, Australia en Jamaica there has been an important increase of criminality after the introduction of the Gun Ban. The same risks to happen in Belgium. In the UK the murder rate did increase AFTER the introduction of a GUN BAN from 1,14 per 100.000 in 1996 tot 2,1 per 100.000 in 2004 ³⁶. This means that today in the UK (with a GUN BAN) there are more murders than in "heavily armed" European countries such as Germany, France, Belgium, Norway,

³⁶ United Nations Office on Drugs and Crime, 2007 report published on <http://hdrstats.undp.org/indicators/263.html>

II. The gun ban does not reduce the number of suicides

The number of legal weapons has no impact on the NUMBER of people that commit suicide, only on the METHOD that those persons use to commit suicide.

Examples:

In Japan there is no firearm ownership, but Japan has the highest number of suicides of the whole world (28 per 100.000). People commit suicide by hanging, jumping from buildings or moving objects, drowning, ... Furthermore Japan has as many homicides as "heavily armed" European Countries such as Norway, Denmark and Germany.

In the USA there are 4 times more weapons than in Belgium, but only 41% of the number of suicides.

In the UK and Australia (both countries have a gun ban) there are more suicides than in the USA. And after the introduction of the Gun Ban there has been a sharp increase in the suicide numbers.

Switzerland has twice as many firearms than Belgium, but lower suicide rates.

Germany has 1,8 times more weapons than Belgium, but only 60 % of the suicides.

The Gun Ban can also increase the number of suicides.

Immediately after the introduction of the Gun Ban, there was a sharp increase in suicide rates for adult males in the UK (+720 suicides on 5 years) and Australia (+427 suicides on 5 years).

Suicides are mostly caused by depressions. It is very likely that the Gun Ban contributes significantly to depressions by adult male gun owners, and contributes as such to higher suicide rates.

Based on the figures for Australia and the UK we can calculate the increase in suicide that the Gun Ban will cause in Belgium in the 5 year period following 2007 :

- an increase of 120 tot 213 suicides (calculation based on number of inhabitants)
- an increase of 328 suicides (calculation based on the number of legal guns that will have to be handed in)

(certainly because in Belgium no financial compensation is paid for the forced hand in of firearms, the risk for depressions is high)

III. Advice

To reduce the number of (firearm) deaths, the Government should concentrate on

1) Reduce suicides :

- per person murdered with a firearm, 40 persons commit suicide in Belgium.
- per person murdered with a legal firearm, 800 commit suicide

Belgium has amongst the highest suicide rates, and the rates continue to increase (from 19,8 per 100.000 in 1997 to 24 per 100.000 in 2005).

You do not reduce suicide by a Gun Ban, but by helping people with psychological problems : *"It can not be over-emphasised that since clinical depression – the major cause of suicide – can be successfully treated, then acts of suicide can be prevented"* (Dr E Wright, psychiatrist). And with 1 on every 6 Belgians ending up in a depression, this is a major issue.³⁷

2) The government should react against persons wearing knives on the street, not against legal firearms owners that store their arms safe in their home

3) Because all legal arms have to be handed in (except officially licensed sporting shooters and hunters), registration of illegal weapons is blocked. So the high number of illegal weapons (14,6 times more dangerous than legal weapons) remain a major risk for the public safety. Furthermore, many legal weapons that the owners had to transfer to the Government, have been sold again on the illegal market. The "Comite P" (highest control organism of the Police forces in Belgium) confirmed in January 2009 that it had started an official investigation against many police officers of different police departments because these police officers did steal firearms that had been handed in (to establish a private collection, but also to sell the firearms on the illegal market).

4) To avoid an explosion of illegal weapons, the Government should allow adult citizens without criminal record to possess firearms once they have proven that they are physically and mentally capable, and that they have proven to be able to manipulate a firearm safely.

³⁷ Study of University UCL (12.000 persons followed for 7 years)

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