The Detection and Policing Of Gun Crime: Challenges to the effective policing of gun crime in Europe

Abstract

Despite a shared understanding across the EU that access to firearms by the general public should be restricted, detailed legislation regarding the ownership, use and trade of firearms varies between EU member states. It is unclear however, how such variations impact on the policing of gun enabled crime. By using qualitative data generated from interviews with police, policy and decision makers from thirteen European countries, the authors of this article aim to determine how stakeholders perceive that national variations in firearms legislation impact on the policing of gun enabled crime within and across EU countries. Four main themes were identified from the qualitative data: disparities in Legislation, disparities in Priority given and the Resources allocated to investigations into gun enabled crime as well as Interventions.

Due to the aforementioned disparities, cross-national investigations into incidents of gun crime are at risk of remaining impaired in their effectiveness. Therefore, more legislative coherency as well as sustainable long-term interventions will be needed to successfully reduce ownership and use of firearms in the criminal world. In this context, a departure from an exclusive use of an economic model of gun crime is recommended to allow for a better understanding of the dynamics of the black gun market.

Keywords

Firearm, policy, intervention, illegal, investigation

Introduction

Historically, guns have always had a legal place in society and have been available to groups such as hunters, sport shooters, collectors or arms dealers. Furthermore, firearms are a commodity of monetary value and are bought and sold on the European and global market; the global arms trade has been estimated to amount to USD 100 billion a year (Amnesty International, 2015). If handled and stored responsibly firearms do not necessarily pose an immediate threat to public safety. If, however, used inappropriately, firearms can have wide-ranging social and economic costs. It is estimated that globally in the period 2007-12 approximately 508,000 people have died as a result of violence with a firearm. Excluding victims of legal intervention and armed conflicts, the majority (n=419,000) have fallen victim to intentional or unintentional homicides (Small Arms Survey (SAS), 2015a). In addition to the human and social costs, the global, economic impact of non-conflict armed violence in terms of lost productivity is estimated to be as high as USD 163.3 billion, or 0.14 per cent of the annual global Gross Domestic Product (SAS, 2016).

Although Western-Europe has one of the lowest Gun Enabled Crime (GEC) rates in the world (UNODC, 2014) the number of illegally held firearms in the European Union (EU) is estimated to be up to 67 million (Duquet and Van Alstein, 2015). Illegal firearms are often used in organised crime activities such as drug trafficking, prostitution, money laundering and gang related violence (Hales, Lewis and Silverstone,

2006; Robert and Innes, 2009; Squires, Grimshaw and Solomon 2008). In this context, the use of firearms poses a significant de-stabilizing factor in European societies. It is estimated that illicit trafficking has been directly responsible for at least 10,000-15,000 firearms related deaths in EU member states over the past decade, (UNODC, 2014).

Getting a clear comparative picture of the prevalence of GEC is, however, difficult as statistical definitions and counting rules vary across countries. Often the definition of GEC; such as 'firearm shot', 'used as a blunt weapon', 'used as a threat', 'firearm carried' or 'firearm ready to hand even if not carried'; do not translate into police statistics. Instead, incidents of GEC may be summarized into 'blocks of crimes'; such as violent crimes, robberies, domestic violence etc.; that do not allow detailed analyses of the social, cultural or situational contexts in which offences may have occurred.

In this context, national statistics on gun homicides provide the best data that allow for cross-national comparisons. Duquet and Van Alstein (2015) state that the European countries with the highest rates of gun homicide in the total numbers of homicides are Montenegro (93%), Cyprus (63%), the former Yugoslav Republic of Macedonia (50%), Italy (45%) and Ireland (42%). In the same study it is revealed that countries with the lowest firearm homicide rates per 100,000 inhabitants are Iceland (0%), Luxembourg (0%), Malta (0%), the United Kingdom (0.04%), Poland (0.05%), Slovenia (0.05%), Austria (0.06%), Denmark (0.06%) and Germany (0.07%).

Unlike US law, within the EU, a shared understanding exists whereby possession and use of firearms should be limited to state authorities and access to firearms by the general public should be restricted (EU Firearms Directive 91/477/EEC, UN Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition 2001). There are, however, significant variations across EU member states as to how legal gun ownership, use and trade are regulated in detail.

The focus of legislation across EU member states reflects the original 1991 EU Firearms Directive and the subsequent 2005 United Nations Firearms Protocol (UNFP), and 2008 revised EU Directive. These tools themselves do not define the illegal use of firearms, nor do they define 'gun enabled crime' per se but instead focus on defining the mechanisms of controlling the legal acquisition and possession of firearms. The issue of determining appropriate penalties for contravening the conditions specified by the Directorate was devolved down to each country's judiciary, with the result that each country could determine appropriate penalties in line with their individual legal frameworks.

Full coherence, however, could not be established as imprecise terminology was used regarding hunting weapons (Spapens, 2007). Moreover, the directive did not provide a universal definition of antique weapons, leaving loopholes that potentially enable the illegal acquisition and trafficking of such firearms across EU member states (Diquet and van Alsten, 2015). The 2005 UNFP merely defined a firearm as 'any portable barrelled

weapon that expels, is designed to expel or may be readily converted to expel a shot, bullet or projectile by the action of an explosive, excluding antique firearms or their replicas', and the 2008 Amendments to the EU Directive adopted this definition, and maintained the exception clauses identified previously. The 2005 UNFP identified that antique firearms and their replicas should be defined in accordance with domestic laws, but that any weapon manufactured in 1899 or earlier shall be identified as an antique and therefore not as a firearm.

INSERT TABLE ONE ABOUT HERE

Allowing EU member states to impose stricter rules regarding firearm deactivation standards, further weakened the directive. Finally, the Directive 2008/51/EC failed to provide a universal approach to the trading of gas and alarm weapons despite their frequent use by criminals, as they can be relatively easily converted into lethal firearms (Diquet and van Alsten, 2015). As specific requirements for obtaining and using firearms in EU member states have been discussed elsewhere (Levush, 2013), table 2 outlines some of the major differences in firearms legislation with regards to access to different types of firearms across the EU.

INSERT TABLE TWO ABOUT HERE

In their fight against GEC, researchers and policy makers alike have often commonly used an economic model of gun crime, which highlights the ability of firearms to take or protect human life, their use to threaten, intimidate or defend (cf. McDonald, 1999).

In this context, advocates of stricter regulation have reported a strong positive relationship between gun availability and gun violence and emphasized the great financial and physical harm caused by gun violence (e.g. Bangalore and Messerli, 2013; Kendall, 1996; Monuteaux et al., 2015; Palen, 2001). Opponents, on the contrary, have documented a negative relationship between gun availability and crime or no causation at all, stressing that the social costs caused by gun violence would be even higher if potential victims would not be allowed to defend themselves (e.g. Kleck, 2009; Moody and Marvell, 2005). Although methodological flaws impair the conclusiveness of both models (cf. Ayres, 2009; Kleck, 2015; Piquero, 2007; Tonso, 2004), both stances have in common a concept of the rationality of social behaviour, whereby social action is the result of a conscious actor who reasons about consequential costs and benefits of their conduct.

This has let politicians to predominantly focus on introducing strict legislation, enforced by effective policing to deter unauthorized persons from illegally obtaining, trading or using firearms. In previous research, two approaches to GEC can be identified, which are both based on an economic view of gun crime. On the one hand, attention has predominantly been paid to the effect of policy and legislative changes in relation to the complexity of GEC and to the police role in dealing with GEC in America (cf. Andrésa and Hempstead, 2011; Lemieux, 2014; Sheptycki and Edwards, 2009; Siegel, Ross and King, 2013). On the other hand, previous research has been focusing on comparing

GEC in America to Europe, using national statistical data (cf. Brennon and Moore, 2009; Hepburn and Hemenway, 2004; Richardson and Hemenway, 2011; Stroebe, 2013). By drawing on unique qualitative data, generated in interviews with multiple informants, including high-ranking policy makers and members of the police from thirteen EU member states, the authors of this article seek to question the economic model of gun crime by focusing on decision-making processes regarding the policing of GEC across EU member states.

In this context, the use of qualitative data taken from interviews conducted across different countries within the EU, offers a unique insight into the issues and challenges of combating GEC from a European perspective. The authors of this paper envisage that this approach will help in shedding light on some of the socio-economic and socio-cultural differences among EU member states, and their impact on the policing of GEC across the EU.

Method

Participants and procedure

This study draws on qualitative data that were generated in 2015 as part of a project, which focussed on identifying the nature, prevalence and impact of GEC within the EU and the effectiveness of interventions to combat it. In total, 42 interviews (7 females, 35 males) were conducted with representatives from a range of stakeholder groups from 14

countries, that for the sake of anonymity will be referred to as 'police', 'policy' 'forensics', 'statisticians' and 'NGO's (non-governmental organisations). All participants represented senior figures with many years of experience relating to policy development, policing, crime statistics, forensic (ballistics) analysis and also included representatives from NGO's which focused on the prevention of gun enabled crime. The distribution of participants by country and gender are presented in table 3 below:

INSERT TABLE THREE ABOUT HERE

Participants were invited to take part in individual interviews to discuss issues concerning GEC in their country. Recruitment was conducted by contacting the organisation directly, either through the generic contact details that were publicly available, or direct contact was made with a named person provided through a project partner. In all instances institutional approval was sought for the research to take place. Once the appropriate participant was identified they were provided with an information sheet outlining the nature of the research, as well as explaining how data would be used during the analyses and for disseminating findings, e.g. publications, presentations.

In the case of three countries it was not possible to conduct individual interviews; instead group interviews were preferred by the stakeholder organisation. In these instances the role of each person was clearly identified and the interview schedule for the appropriate stakeholder group was used albeit with the person responding in the

context of a group. This ensured that the same questions were asked across stakeholder groups, regardless of whether the interviews were conducted on an individual or group basis. Individual interviews were conducted either in person or through Skype.

All interviews were conducted by an experienced multi-national team of six researchers between July and November 2015. Where possible interviews were conducted in English. In Germany, France and Belgium interviews were conducted in German and French and translated into English word-by-word by the respective interviewers who were native speakers of French and German. One interview was conducted via a translator that was appointed by the stakeholder's organisation.

Semi-structured interviews were used enabling participants to make comprehensive statements and give explanations at their own pace (Bernard, 2006). In addition, not constraining interviewers to a rigorous set of questions allowed exploring new issues as they arose during the interview. To assure comparability and reliability of the data generated this way, in all interviews, whether individual or group, an interview guide was followed (available on request). Interview guides were devised to appeal to the stakeholder organisation (i.e. police, ballistic experts) and comprised a set of general questions, with more specific questions tailored to the context of the stakeholder group. It was envisaged that this approach would help revealing the importance and significance of topics, concerns, and meanings as perceived by respondents (Neal, 1995; Rubin and Rubin, 2005).

Ethics approval was obtained prior to the start of data collection from the University Research Ethics Committee. At the start of each interview written consent for each participant was obtained. Participants were informed of their right to withdraw their participation, to pause at any time if needed, and were also informed of their right to come back to questions later in the proceedings, and to not answer questions if they felt unable to. All interviews were audio recorded and lasted between 20 and 135 minutes.

The digital recordings of the interview and focus group sessions were transcribed verbatim and the content of the text was coded in relation to the questions in the interview guide. Where interviews were conducted through a translator only the answers provided by the translator in English were transcribed verbatim. All personal information that explicitly identified individuals and organisations was removed from the transcripts.

All participants were allowed a cooling off period of seven days after the interviews to consider whether they wished for their interview to be excluded from the analysis. None of the participants did. To avoid publication of sensitive data relating to ongoing operations by law enforcement agencies, research participants were given increased ownership of their statements. As part of the consent form, participants could express their wish to view the transcribed interviews before the analysis would commence. It was explained to each participant that in order to maintain validity of research findings, statements could not be altered and would still be included in the analyses. However,

participants were given the opportunity to mark any statements, which they did not wish to be published. Some participants asked that confidential information that they had given remained confidential and was not used in the analysis, whilst another requested that a sentence that reflected his personal opinion without source or reference was not used.

Following the guidelines proposed by Braun and Clarke (2006), the data were initially coded inductively, that is, adopting a data-driven, bottom-up approach in order to identify all possible codes within the corpus of data. Semantic themes were derived by discerning commonalities and patterns in the descriptive codes. Some of these semantic themes were then developed into latent themes by examining the underlying assumptions and ideologies (Braun and Clark 2006: 84) of GEC. The transcripts were coded by the lead author and the second author then reviewed the codes and transcripts to determine that the codes were valid and that saturation had been reached. Group meetings were held on a weekly basis with the remaining authors to discuss and verify the codes that had been identified, and to clarify codes when disagreement or ambiguity arose. New codes were generated in order to encapsulate the entire dataset.

Excerpts were selected from the transcripts which provided the clearest support for the themes identified and these are presented in the next section. In addition, the themes represented are those that are consistent across countries.

Results

Four key themes emerged from the analysis that explained a number of factors that impact on the policing of GEC in individual member states and across Europe. These were disparities between legislations; disparities in national and international priority given to GEC; a disparity in police resources and investigations; and interventions.

Disparity in legislation

In the absence of clear EU regulation, many respondents criticised insufficient and inconsistent standards regarding the deactivation of firearms in their own or other countries.

"The fact is that the legislations are not so good in all the countries. In our case in Spain the legislation is not very good, is not strong enough in order to avoid this kind of modifications of weapons."

1MESB

In some member states deactivation standards were identified as insufficient as they were reversible, allowing the creation of a potentially lethal weapon.

"In Holland we have standards [that] are used to deactivate weapons and it's done by the legal gun dealers, they do that and they give declaration it's deactivated. But if you are a technical worker you can bring it back to make it active again."

1MNLLE

The variation in deactivation standards was explained in reference to dissimilar perceptions of risk that a deactivated gun may pose. In Sweden, for example, deactivated guns were perceived as posing a similar risk to public safety as active firearms and both fell under the same licensing laws.

"W*e do not recognise the legal figure of a deactivated weapon. Once it has been produced as a weapon, as a firearm, it will always be a firearm according to our legislation."*

2MSELE

In contrast, in Germany a gun was deemed deactivated if reactivation by a layperson using commonly available tools was impossible, and therefore the weapon would no longer pose a threat to public safety:

"*In Germany there are specific standards that have to be met for a gun to be deactivated, otherwise it is considered a live gun. And if these standards are met, a gun actually cannot be used or reactivated using normal tools."*

1MFDB

In other countries, it appeared that deactivation was defined as disabling a gun's firepower, irrespectively of how quickly or easily it could be reactivated.

"In Slovakia for instance, the big company AFG, they sell Scorpion machine guns and AK-47s as acoustic weapons. And they just put in a small iron tube or a…, they welded something into the barrel, but if you hit it three times with a rod and a hammer, it comes out. I mean you have a functional firearm after 30 minutes of labour."

6MBELE

The impact on the effective policing of GEC, due to the inconsistency of deactivations standards, highlights the risk posed and the difficulty in policing across member states with different deactivations standards.

"The issue of the many differences of national regimes to national condition to deactivate weapons - this was, I think that was one of the hypotheses for the shooting in Paris, that one of the weapons that were used came from Slovakia where it has been deactivated and quite easily reactivated[…]."

5MBER

Respondents highlighted difficulties with the implementation of the EU firearms directive across EU member states, and emphasised legislative disparities regarding access to guns that have been shown to be readily convertible into a firearm capable of discharging a bullet or missile.

"The problem is that you cannot force people in the rest of European countries to stick to the rules actually, that's the problem. Here you're not allowed to have gas alarm

weapons, even though it's only a gas alarm weapon. You can buy them in Germany but you can't take them to Denmark."

1MDKB

In this context, interviewees highlighted the difficulties in implementing strict legislation due to various lobby groups with vested commercial interests in firearms.

"Some of them are incredibly important historical artifacts that people own and collect and there is a massive market. There is a huge market in the UK in deactivated weapons; we import tons of weapons and we deactivate them to sell them for all sorts of reasons around the world, it's a big import/export issue."

4MUKLE

So at the moment we are currently working on the deactivation standards. […] And domestically, obviously we have got quite a vocal stakeholder community who are quite, […] yeah but they're powerful actually, quite influential. […] [T]hey have got, you know, strong political allies in, you know like parliament and good representation there. And, they get quite a lot of kind of parliamentary time actually.

6FUKMIN

Respondents stressed that the disparity in deactivation standards across EU member states, and regarding access to gas, alarm and salute guns, have enabled a grey market to

emerge, in which firearms are traded across countries with varyingly stringent firearms regulations.

"Weapons are not classified the same way in different states. […] And member states, they are classifying weapons differently among these four categories which is a problem if you can buy a weapon without a license in one state and take it to your home country where you need a license for it for example. "

1MSER

"It is also driven by several different laws in Europe. They are very creative in finding all the gaps in the laws in the different countries just to create another bunch of firearms which are somehow legally made, legally rebuilt and modified and then suddenly they disappear and then there are again."

2MNLB

Disparity in Priorities

Unclear or insufficient terminology of the EU firearms directive was deemed to be responsible for inconsistencies in the extent to which GEC was prioritised by police across different member states.

"I mean the interest in EU from Eurostat that we get, it's much more like human trafficking, corruption, cybercrime, there the sort of like topics of interest at the moment, rather than firearms offences."

5MUKSTAT

The lack or European-wide prioritization was supported in the Netherlands:

"In 2012, it [GEC] was not deemed such a threat that it should be prioritised among the 6 priorities that they (EU commission) would define.

[…]

"So there's no clear agenda with regard to illegal arms trafficking and how to deal with it, there's no overall plan or something."

3MNLP

To some extent, the level of prioritization given to combating GEC reflected socio-cultural attitudes towards firearms as highlighted by respondents from Sweden and Serbia.

"[…] firearms have been seen as a hunting tool by many in Sweden and not seeing this as a big social problem that it has become in certain areas."

2MSweLE

"From a technical point of view, there's a number of issues, the first is that firearms are not perceived as a priority because again there's this issue of (A) on one hand, there's this for a long time exploited fact that firearms are some sort of a cultural heritage."

1MSerP

In general, it appears that prevalence of GEC did not impact on the resources that were dedicated to fighting firearm offences. For example, GEC is given high priority in the UK, where in proportion to all crimes recorded GEC rates are one of the lowest throughout the EU.

"It is not a low priority for us is it? It is very serious."

5MUKSTAT

High prioritization of GEC despite its rare occurrence was explained by another respondent from the UK with reference to low cultural and social acceptability of firearms.

"We would put firearms right up here, but why do we do that? Well, we're unarmed Police Service, so actually lots of people going and shooting each other, creates law enforcement problems. Culturally we have a very different relationship with firearms, don't we, to the rest of Europe."

4MUKLE

In other countries with more frequent firearm offences, prioritization of GEC varied.

"It's very difficult to put firearms here on a very high priority. Every meeting we have about this, it's always a problem. And we all are aware of the situation but if you look at the numbers and if you look, actually they are dropping, again."

2MNLB

Many of the responses given indicate that political, cultural and economic factors may have a stronger impact on the prioritization to investigate GEC, than its actual prevalence. For example respondents from Denmark and Croatia:

"I think that the unfortunate thing is problem in many countries, that it's difficult to hype fighting gun crime; it's easier to hype fighting drugs or illicit trafficking, trafficking human beings."

3MDKLE

"It's very seldom that it's their [Ministry of interior] top priority. Right now their top priority is the refugee crisis. Nobody is talking about gun problems and there are still gun problems, there are cases of illegal, of somebody being killed by or wounded by the illegal weapons. But this is not a top priority."

1MHRNGO

However, in countries that have recently experienced internal conflict respondents commented that high prioritization was given to combatting GEC:

"It has high priority. In the Section for organized crime, there is a section, in the Department for Organized Crime there is a section for fight against illegal trade in firearms and hazardous materials. This is a big section and it has a high priority."

3MMKLE

Similarly, high-profile incidents in a country, such as amok shootings or terrorist attacks resulted in higher prioritization of combating GEC.

"The issue of firearms was not a priority until after the shooting that occurred in Liege in 2011; this is because if there is no data, it is not a priority, which then means there are no resources or funding to develop and attain resources, which then causes a cycle."

2FBELE

"Swedish government gave a task to police and customs to intensify the combat of the illegal flow of firearms into Sweden. Stemming from mainly a series of public shootings, mainly in southern Sweden at that time, City of Malmo, that were given very high media attention, calling for a political reaction."

2MSELE

The data of this study indicated that there was also disparity in prioritization of GEC, within individual member states. Dutch law enforcement and forensic respondents in The Netherlands suggested different prioritization between different geographic areas.

"*So, you could imagine in Amsterdam the topic – illegal weapons – is on the agenda, but down in Holland, in Limburgh, near the Belgian border, it may not be a topic because there is not a problem. So that's also making a difference in the choices nationwide.*"

1MNLLE

This was supported by respondents from the UK:

"We know that firearms isn't on everyone else's, kind of, top agenda because you've got the disparity between forces, between the like of West Midlands, Met, Merseyside, GMP, which are all kind of your gun crime forces, and then you've got ones like Northumberland where their gun crime is non-existent."

7FUKLE

Disparity in resources and investigations

During the interviews, participants described the impact of disparity in prioritisation, as having a direct effect on the resourcing and structure of policing and, therefore, on the investigation of GEC.

"So when they have at certain moments a bit more staff, then you see they have a relative success. Then there are police operations where they are involved as well with the local police and certain gang are found and are taken away to prison and they find a whole range of weapons, and then we see what is the latest thing on the black market. But when the staff diminishes again, they can't do such actions."

3MBEP

Within the UK separate forces historically had dedicated units who dealt with firearms crimes, which have since been disbanded.

"But actually what's happened is that lots of those forces have dedicated gun crime investigation capabilities. Because of austerity and because of reduction in shootings, that's gone."

4MUKLE

The practice of reducing firearms units was echoed in Holland and Denmark:

"This specialism was taken away, as we needed more people on the street. So it was not main topic anymore and we only do investigations if we find it, due to other criminal acts, activities."

1MNLLE

"But I think it's all about resources, that if we have some more resources to combatting it, that could be better; if we have resources and the priority for example making controlled visit at some of the weapon collectors […] I think it's a lot about priority and resources."

3MDKLE

As a consequence of reduced resources, the scope and focus of investigations into incidents of GEC was limited in identifying the source of the weapon used, as described by participants from the Netherlands:

"*We do really the investigation on the gun itself in relation to other crimes, but the investigation to the person, where did he get it from? Where does it come from? Well,*

sometimes you do it and sometimes you don't, because if you start this kind of investigation you cannot always see the end and if you cannot see the end of the effort it will take from you, as an organisation, we do not."

1MNLLE

A Belgian participant clearly showed the point that the source of the firearm is not a consideration in police investigations.

"Firearms are often of secondary importance in police investigations. When you have a homicide case, first thing they look at is who did it, can you prove this person did it. Why did they do it? Was he there? It's logical. How the person got his weapon, whether it's firearms or something else, is usually secondary importance."

1MBER

The lack of complete investigation suggests that in order to tackle GEC effectively two separate investigations need to be conducted focussing equally on perpetrator detection and wider issues of gun supply. For example, knowledge of the supply route for a firearm could assist to remove the armourer/supply and potentially reduce GEC. This also necessitates better knowledge of how the illicit gun market works and what factors impact on the demand for firearms. As some respondents stressed the reasons for an individual or groups of persons to demand firearms are complex and reflect cultural and social attitudes more than rational reasoning.

South in the Ardennes, there is not much population there, they live in the forest, it's very nice, but they all think they have to have guns. Why? You never know! Society is dangerous, you can be robbed, and don't laugh, 60 years after, old people still say you never know if the bosch would come back...

3MBeMIN

In the UK, establishing the National Crime Agency (NCA) as central body that is responsible for collecting, analysing and disseminating information regarding firearm offences has proven to be beneficial in developing a national strategy to combat GEC.

"The national strategic assessment is an annual product. We then conduct a mid-year review in October, to see 'right well how's the response that we, as the NCA, have put in place has that changed the risk? Has it mitigated the risk?' God forbid it's made it worse and we do that as a sort of constant review almost."

7UKFLE

The role of the NCA as a focal point was identified by UK ballistic intelligence personnel as key to creating an accurate picture of the movement and use of firearms.

"So, you get these regional differences but again we can only say that because it's been identified by having that single point where everything is examined and the Intelligence is all brought together. […] So, whereas these things in the past might not get investigated because no one police force would see it as their problem and perhaps for

whatever reason. […] It will now always be picked up and it might be picked up by the NCA."

3MUKB

Interventions

Respondents emphasised that the complex causes of GEC, necessitate a holistic approach addressing national as well as international social (e.g. education), economic (e.g. unemployment, housing) and cultural factors (e.g. gang and gun culture).

"Gun enabled crime is a small part of a wider approach and in fact your gun enabled crime actually becomes the symptom of what you should have been dealing with."

1MUKLE

"It is important because we do not see from our side that it is a gun generated problem that it is the availability of firearms per se that causes the problem, but it's the other way around. It's these conflicts that create a larger demand for firearms. So it's the social context in which these conflicts have arisen that also leads to an increase in firearms smuggling and usage."

2MSELE

Therefore, preventative interventions, in which attention is exclusively paid to detecting and prosecuting firearm incidents, are at risk of remaining impaired in their

effectiveness. Within the UK, communities are encouraged to be part of the intervention process.

"Focus on the community and build spirit and strength in the community and if you can do that, you'll actually start to reduce your gun and gang crime."

1MUKLE

The need to engage the community is also an effective strategy across the breadth of Europe, for example in Eastern European countries, such as Croatia and the former Yugoslav Republic of Macedonia:

"There is a comic book. [...] In the first stage of the campaign we used the message, the campaign's name is 'Less weapons less tragedies' and the slogan was 'Get the extruder out, make your home a safer place to live."

1MHRNGO

"We are working with OBSE for a longer period in the local communities and in the public schools with the children where we present to the children the hazards from use of weapons."

1MMKP

It is not only a holistic approach to tackling the causes of GEC, but also identifying different statutory powers that can be used. In Denmark the use of powers relating to seizure of assets have been used effectively to help combat GEC.

"They use what they call the Al Capone method. It's, I think it's known all over the world to go and look where do your income come from? […] They did the same thing with the bikers and they took their motorbikes and expensive watches and cars and things from them and if they couldn't document their income. The tax authorities actually have the, they're allowed to search people's homes, in a way that police are not allowed to."

1MDKB

Within the UK a number of powers and agencies have been used in interventions.

"So we have an, the Local Authority for example, has a whole raft of powers that we can use to tackle Serious Organised crime, and, you know, through licensing and trading standards...taxing, you know all these different aspects, but also through the other side of things, so through Adult Services, Troubled Families, Children's Services, you know looking at the other aspects, the families that are involved in Serious Organised Crime."

2FUKNGO

Discussion

The aim of this paper was to scrutinize the policing of GEC in Europe. Like all research, this study has limitations and findings that have been reported here need to be treated with caution. Due to the voluntary nature of the research there was some variation in the

range of perspectives that informed the study, and the number of informants from each country, which resulted in some limitations in terms of establishing a complete picture across the EU. In addition, most of the interviews were conducted in non-English speaking countries. Although all of the interviewees who agreed to be interviewed in English had sufficient command of the English language there is a range of epistemological and ontological issues that may arise (cf. Bogusia and Young, 2004). In particular, in interviews that had to be translated or conducted with the assistance of translators, the possibility of misrepresentation cannot be completely ruled out. In an attempt to mediate these effects, interviewers who were native speakers were used when interviews had to be conducted in a language other than English, rendering the translator or interpreter as a less visible part of the research process (cf. Squires, 2009). In one instance the assistance of an accredited translator was sought who was appointed by the stakeholder's organisation.

Despite these limitations, the use of qualitative data taken from interviews conducted across different countries within the EU has offered a unique insight into the social, economic and cultural challenges of combating GEC from a European perspective. Based on an economic model of gun crime, attention in previous research has predominantly been paid to the immediate effect of policy and legislative changes in relation to the complexity of GEC and to the role of police in dealing with GEC (e.g. Kleck, 2009; Sheptycki and Edwards, 2009).

A key finding of this study is that investigations into incidents of GEC are characterised by competing pressures within police organisations. As a result 'use of a firearm' is often identified during police investigations as an aggravating factor to a primary offence rather than a primary offence in itself. This means that police enquiries into issues of supply are conducted incompletely or not undertaken at all.

The impact of not identifying the source of a weapon is vital to combating GEC; failure to do so means that supply routes or 'armourers' are not identified, allowing further supply of firearms into the criminal world. Therefore, a shared legal definition of GEC might be helpful in changing the investigative mind-set of officers, to allow for a full and thorough investigation into the source of a weapon. This would allow intelligence on the illegal trading and trafficking of firearms to be gained and shared across member states, to better prevent other criminals arming themselves and potentially prevent future injury, death and damage (Diquet and van Alsten, 2015).

A further finding of this study has been the disparity in firearms legislations among EU member states regarding deactivation standards for firearms and access to gas and alarm weapons. Whilst these variations mirror cultural, economical and political tensions, the resulting legislative gaps have led to the emergence of a grey market where these guns can be traded across EU countries with varyingly stringent gun laws. The data of the present study indicate that in combination with EU trade treaties and growing online acquisitions of firearms, policing this grey market by the responsible authorities has

become increasingly difficult. A particular threat to public safety appears to be posed by gas and alarm weapons which can be relatively easily converted into lethal firearms (SAS, 2015b).

Ironically, the predominant use of converted and deactivated or antique guns by criminals can be seen as an indicator of the impact that coherently stringent legislation regarding lethal firearms has had. As access to such weapons has become increasingly difficult, converted guns, which cannot be traced and often provide a cheaper and more easily accessible alternative to original lethal firearms, have become particularly appealing to criminals. Equally, it demonstrates that legislation needs to be commonly shared throughout the EU.

The newly amended EU firearms directive, which was introduced in April 2016, is certainly a promising step in the right direction by setting stricter conditions regarding the standards of deactivated guns and the circulation of such firearms; establishing common criteria concerning alarm weapons to prevent their transformation into fully functioning firearms; introducing tighter rules regarding online acquisition of firearms, including key gun parts and ammunition, through the internet; and imposing stricter conditions for collectors to limit the risk of sale to criminals (cf. European Commission 2015a).

Hence, the new directive has the potential to improve policing regarding the three main components of the grey firearms market; deactivated, converted and antique weapons. However, as no retrospective application is foreseen, the new directive will only apply to guns that will be deactivated in the future. Therefore, an opportunity has been missed to empower police to effectively tackle the potential risk that is currently posed by the vast amount of existing firearms that in the past have been deactivated to significantly varying standards.

Furthermore, the changed legislation appears not to meet the more rigorous standards of some EU countries. For example, Sweden currently has probably the most stringent laws on deactivated and convertible weapons where such guns are included within the national firearms legislation. Therefore holders, of such firearms are subjected to similarly thorough assessments as if they held a firearm manufactured so it was capable of being shot. Such restrictions, however, were not included in the newly changed EU firearms direction.

Both the original firearms directive 91/477/EEC and the amended directive 2008/51/EC failed to establish legislative coherency across the EU, as member states were allowed to impose more stringent rules, giving rise to the aforementioned grey firearms market. It appears, this conflict between different national firearms legislation will not be solved by the introduction of the new EU firearms directive and it therefore remains unclear to

what extent true harmonization of policing the grey firearms market across the EU can be achieved.

Another finding of this study was a disparity of prioritization of policing and combating GEC within and across EU countries. Within nation states, this disparity appeared to be mainly the result of fluctuations of GEC rates in various geographic regions. In contrast, the amount of resources dedicated to fighting GEC across the EU did not appear to be linked to the actual occurrence or prevalence of GEC, but did largely reflect the cultural and political awareness of gun violence. Prioritization and resourcing of combating GEC in most countries often appeared to be a 'knee jerk' reaction to an increase in GEC or a high profile incident such as amuck shootings or terrorist attacks. In the short term, by allocating resources and being proactive it is possible to initially achieve significant success in these areas. Nonetheless, due to alternative priorities, complacency or budgetary constraints resources are often removed over time.

Thus, a continued focus by politicians and police will not only help in maintaining a low national prevalence of GEC but also has the potential to allow for a more harmonized approach to GEC across EU member states. As the data of this study has shown, a disparity in prioritization of GEC across the EU does pose an obstacle to communication and free exchange of intelligence among government agencies from different EU member states, which ultimately undermines cross-national attempts to investigate and fight GEC more coherently.

In this context, the new action plan by the European commission to implement the European Agenda on Security (European Commission, 2015b) invites member states to set-up inter-connected national focal points on firearms to develop and share expertise and improved analysis of GEC. In the UK, having a central firearms focal point such as the National Crime Agency (NCA), has been crucial in gathering and analysing information on GEC as well as strategically disseminating intelligence to politicians, constabularies and the general public. This has helped responsible authorities to coherently develop and maintain effective holistic approaches to combating GEC over time.

Although the existence of the NCA has not completely prevented national disparities regarding the extent and nature of resources being allocated to fighting GEC, it has helped to harmonise police enquiries in their duration, intensity and focus. Hence, by providing a platform to better share information regarding prevalence and nature of GEC within and across EU member states, central firearms focal points will be essential in enabling governments to develop national strategies on how to self-sufficiently yet coherently fight GEC across the EU.

Throughout the interviews respondents highlighted the complex nature of the causes and motivations for perpetrators to be involved in GEC, which supports previous findings (Hales, Lewis and Silverstone, 2006; Robert and Innes, 2009; Squires, Grimshaw and Solomon 2008). To some extent, this might help explaining the intra-

national fluctuations of GEC reported by respondents. It does not really come as a surprise that in all western European states included in this research, a concentration of GEC was reported in metropolitan areas, which usually provide space for other crimes associated with GEC, particularly the dealing with illicit drugs.

There is comprehensive evidence that illicit drug market activities and GEC are linked (e.g. Davis et al, 2001; Vaughn et al., 2016; Vaughn et al., 2014; Wintermute, 2015). However, crime organisations or individual actors who are involved in the illegal drug market are not always rational commercial entities like Thachuk and Saunders (2014) claim. Instead, both are influenced by a number of social and cultural structures in which they operate (May,1999; Lizotte, et al., 2000) and which impact on the way in which groups of individuals and society as a whole interpret and respond to conflicts (cf. Altenheimer and Boswell, 2012; Ayres, 2009; Kahan, 2003). Confirming previous findings (e.g. Presdee, 2000), this study has demonstrated that the reasons why individuals acquire or possess firearms are complex and, at times, irrational.

Law enforcement participants within the UK articulated the social conditions that can act as a route into GEC for young people, revealing that perpetrators do not always have a desire to be involved in such crimes, but utilise them as a means for social acceptance, social status and financial rewards, and show that GEC may be embedded in the culture of that person's life. This was echoed by respondents from Eastern European states

where use of firearms by young people were reported in reference to conflicts that are inherent to the social environment in which they are raised.

This ultimately means that in order to combat GEC effectively and sustainably, more attention has to be paid to the demand of illegal guns, which pose the biggest threat to public safety (Southwick, 1997; Stolzenberg and D'Alessio, 2000). In this context, a departure from an exclusive use of the economic model of GEC appears beneficial. This will allow for interventions that go beyond simply increasing the costs of illegal firearm use or possession (e.g. by introducing stricter legislation and harsher penalties).

There is indeed comprehensive research indicating that strict legislation can have a decreasing impact on rates of GEC (e.g. Hales and Silverstone, 2005; Sherman, 2001; Taylor an Li, 2015). However, there is also evidence suggesting that the relation between legislation and GEC is not clear-cut (e.g. Kornblum, 1994). For example, similar laws often fail to have a similarly deterring effect in different geographic areas (cf. Piquero, 2007).

Consequently, more studies such as those by Cooke and Puddifoot (2000) and Ropeik (2012) are needed, that scrutinise the symbolic function of guns in shaping identities (McLuhan and Zingrone, 1997). Only then, researchers and policy makers alike will develop a better understanding of the sometimes irrational dynamics of the black gun market (cf. Arsovska and Zabylelina, 2014; Florquin, 2014; Rigakos 2008), which in

itself might lead to more sustainable responses to the illegal trafficking, dealing and use of firearms. In the past such specific target driven responses have been demonstrated to be successful, for example in the policing of gun violence related to illegal drug markets (Sevigny and Allen, 2015; Braga and Weisburd, 2012).

Hence, any action aiming to reduce GEC has to be holistic in its approach, to reflect the complex local causes of GEC itself and the routes that perpetrators take into this criminal world. Equally, and as aforementioned, such actions should be sustainable, implying the need for long-term local interventions to change gang culture, and social causes of GEC. Multi-agency approaches involving education, local councils, social services and the police are better able to protect vulnerable people such as the under-aged.

An example of good practice was given by a respondent from the UK, where law enforcement alone had limited impact on reducing the levels of GEC in a community notoriously associated with high levels of it. Consequently, a multi-agency approach, involving the community, was used to tackle a socially and financially deprived area, rejuvenating it, removing problem families and encouraging community strength. By doing so, this community was better able to make decisions about their own lives and work with different agencies to reduce the problem. In contrast, in the former Yugoslav Republic of Macedonia and Croatia school children were very much directly targeted to tackle GEC. By working with communities, and gaining their trust and support, it was

highlighted by participants that information and intelligence is more likely to be shared between communities and law enforcement agencies; which are key to successful prevention and investigation of GEC.

Consequently, in order to address GEC more effectively both interventions and research need to equally focus on factors that compose it, including the regulation of deactivated weaponry as well as the motivations of those immediately involved in it, and factors that contextualise it, such as the social, economic and political environments which promote a particular concentration of GEC. On a political and investigative level this means to harness all available cross-national recourses in an attempt to overcome incompetence and conflicts over authority of knowledge.

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Table 1

Category	Description	Control
A	• Fully automatic weapons and military weapons; • explosive military missiles and launchers; • firearms disguised as other objects; • ammunition with penetrating, explosive or incendiary projectiles, and the projectiles for such ammunition	Prohibited
B	• Firearms used by marksmen and hunters; • semi-automatic or repeating short firearms; • single-shot firearms with centre-fire percussion; • single shot short firearms with rimfire percussion whose overall length is less than 28cm; • Semi-automatic long firearms whose magazine and chamber can together hold more than three Rounds; • Semi-automatic long firearms whose magazine and chamber cannot together hold more than three • rounds, where the loading device is removable or where it is not certain that the weapon cannot • be converted, with ordinary tools, into a weapon whose magazine and chamber can together hold • more than three rounds; • Repeating and semi-automatic long firearms with smooth-bore barrels not exceeding 60 cm in length; • Semi-automatic firearms for civilian use which resemble' weapons with automatic mechanisms.	Subject to authorisation
C	• Firearms used by hunters; • Repeating long firearms other than those listed in category B, point 6. • Long firearms with single-shot rifled barrels. • Semi-automatic long firearms other than those in category B, points 4 to 7. • Single-shot short firearms with rim fire percussion whose overall length is not less than 28 cm	Subject to declaration
D	• Other firearms; • Single-shot long firearms with smooth-bore barrels.	None

	• Any essential component of such firearms : • The breach-closing mechanism, the chamber and the barrel of a firearm which, being separate objects, are included in the category of the firearms on which they are or are intended to be mounted.

Table 2

Country	Handguns	Long Guns	Air Guns	Gas and alarm weapons
FYR of Macedonia	• License holders may own any number of hand guns	• Minimum age 18 • Firearms disguised as non-weapons, silenced firearms, and armour piercing, explosive or incendiary ammunition are prohibited • Semi automatic guns with a magazine capacity of more than 3 rounds are prohibited	• Registration required • No limitation of firepower or number of air guns	• Gas-firing weapons are prohibited • signal weapons are subject to authorisation with a permit
Croatia	• No limitation of number or calibers of handguns for license holders	• Minimum age 18 • semiautomatic arms and repeating long-barreled firearms with a rifled barrel and magazine whose capacity is more than five rounds or with a fixed bayonet are prohibited	• Firearms, gas and air weapons, with the bullet whose kinetic energy exceeds 7.5 joules and velocity exceeds 150 m/sec, may be acquired only subject to permit.	• Gas-firing pistols requires only registration and not authorisation • Signal/Alarm pistols may be exempt from registration
Portugal	• License applicant has to be 24 years old and has to submit 3 references • License has to be renewed every 4 years • Self defense not a reason for obtaining a license	• Psychological assessment and police interview required • License has to be renewed every 5 years • Self defense not a reason for obtaining a license	• License required • Minimum age 18 • License applicant has to prove specific need, such as membership in a shooting club • License applicant has to submit a medical exam	• License required • Minimum age 18 • License applicant has to prove specific need • License applicant has to submit a medical exam

Spain	• Minimum age 18 • Only permitted for members of the general public for reasons of self-defense	• Minimum age 18 • Number of guns owned unlimited • Magazine capacity restriction apply for center fire semi-automatic rifles and shotguns • Semi-auto center-fire rifles are restricted to 4 cartridges and 2 cartridge capacity for hunting and 3 shells for semi-auto and pump action shotguns	• Minimum age 18 • Local permit required, which is only valid for 5 years in the granting municipality	• Minimum age 18 • Special permit required
United Kingdom	• Completely prohibited	• Semi-automatic and pump-action rifles are only permitted in .22 rimfire calibers and with a fixed magazine capacity of no more 3 (2 in magazine and 1 in chamber) • Shotguns with detachable magazines	• No license required • Air rifles with a projectile energy less than 16J and air pistols with a projectile energy less than under 8.1J can be purchased legally by anyone over the age of 18	• Blank-firing and gas pistols are prohibited
Netherlands	• Minimum age 18 • A license holder can only own 5 firearms • No restrictions on magazines or types of ammo	• Minimum age 18 • A license holder can only own 5 firearms • No restrictions on magazines or types of ammo	• No license required • Minimum age 18 • No restrictions on firepower	• No license required • Minimum age 18

Denmark	• Minimum age 18 • Handgun licenses are only issued to people who have been an active member in a shooting club for 2 years • Licenses are valid for 2 years	• Minimum age 18 • Only certain types of rifles shotguns are allowed (e.g. smooth-bore shotguns with a barrel length of at least 55 cm, and a maximum caliber of 12 holding no more than two shot cartridges) • Licenses are valid for 5 years for sport shooting and 10 years for hunting	• Minimum age 18 • License required for all air guns • Valid for 10 years	• Minimum age 18 • License required for all gas and alarm weapons • Valid for 10 years
Germany	• Minimum age 18 • License required • Number of hand guns limited to 2	• Minimum age 18 • Limited to 3 semi-automatic long guns • Pump-action shotguns with pistol grips or of a short overall length are prohibited	• Minimum age 18 • License required (*small firearms carry permit*) can be obtained without proving expert knowledge	• Minimum age 18 • License required (*small firearms carry permit*), can be obtained without proving expert knowledge
Belgium	• Minimum age 18 • License required • Apart from automatic weapons license holders may own any number of handguns • Military weapons and their calibers are prohibited • High capacity cartridges are prohibited	• Minimum age 18 • Folding guns with a caliber >20 are prohibited • Military weapons and their calibers are prohibited • License holders may own any number of rifles	• No restrictions regarding fire power • Freely available to persons at the age of 18	• Freely available to persons at the age of 18
France	• Minimum age 18 • License holders are allowed to own a maximum number of seven .22 caliber handguns or five handguns of larger calibers	• Minimum age 18 • Psychological exam required • License holder must not have more than 12 firearms and no more than 50 rounds of ammunition	• For air guns with a projectile energy less than 10J and more than 2J, no license is required	• Freely available if firepower is less than 2J

Sweden	• Minimum age 18 • License applicant has to have been a member of a shooting club for at least 6 months or passed a hunting exam • License holder can own 10 hand guns	• Minimum age 18 • License applicant has to have been a member of a shooting club for at least 6 months or passed a hunting exam • No hunting exam is necessary is chaperoned by someone who has passed a hunting exam • License holder can own 6 hunting rifles	• Firearms regulation does not apply to air guns with a projectile energy less than 10 joules and can be bought by anyone at the age of 18	• Firearms regulation does apply to gas and alarm weapons
Italy	• Minimum age 18 • License holders my own up to three ‘common’ firearms (any firearm not using hunting calibers) • 6 weapons classified as firearms for sport shooting • 9 mm calibers hansguns are prohibited • ammunition is limited to 200 rounds of handgun ammunition • if special requirements are met an additional, an additional 1500 rounds can be obtained	• license holders my own an unlimited number of hunting weapons (includes shotguns) • unlimited single shot loader replicas for which no license is required • ammunition is limited to 1500 rounds of hunting ammunition	• For rifles and pistols with a projectile energy less than 0.75 J no license is required	• Currently available without license though it has been suggested by the Italian Senateto extend firearms legislation to also alarm and signal weapons, weapons of salute and acoustic weapons

Kosovo	• Handguns are prohibited though licenses might be issued to individuals after proving a genuine need to possess a weapon for self-defence	• Semi-automatic or repeating short firearms require authorisation for acquisition	• For rifles and pistols with a projectile energy less than 0.75 J no license is required	• gas-firing weapons are prohibited • firearms for light-acoustic signalization, including alarm pistols, may be purchased subject to a permit with additional conditions
Serbia	• License required • No restrictions on number or caliber	• Semi-automatic assault weapons are prohibited, though license holders may own hunting approved semi-automatic rifles	• Firearms regulation does not apply to air guns with a projectile energy less than 10 joules and can be bought by anyone at the age of 18	• The procurement and possession of gas weapons • is prohibited; signal weapons require authorisation

Table 3

Country	Gender	Stakeholder	Interview type (group vs individual)	Participant code
Former Yugoslav Republic of Macedonia	M x 2 F x 2	Policy Forensics Police Statistics	Group	1MMKP 2FMKB 3MMKLE 4FMKSTAT
Portugal	M	Forensics	Individual	1MPTB
Spain	M	Forensics	Individual	1MESB
United Kingdom	M	Police	Individual	1MUKLE
United Kingdom	M	Forensic	Individual	3MUKB
United Kingdom	M	Police	Individual	4MUKLE
United Kingdom	F	Police	Individual	7FUKLE
Holland	M	Police	Individual	1MNLLE
Holland	M	Forensic	Individual	2MNLB
Denmark	M x 3	2 forensic 1 Police	Group	1MDKB 2MDKB 3MDKLE
Germany	M x 2	1 Police 1 Forensic	Group	1MFDB 2MFDLE
Belgium	F	Police	Individual	2FBELE
Belgium	M	Forensic	Individual	4MBEB
Belgium	M	Police	Individual	6MBELE
France	M	Forensic	Individual	1MFRB
Sweden	M	Police	Individual	2MSELE

Sweden	M	Forensic	Individual	3MSEB