

NATIONAL REVIEW

Britain's Failed Weapons-Control Laws Show Why the Second Amendment Matters

David B. Kopel and Vincent Harinam

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Despite very severe anti-knife laws, Great Britain has been suffering from a surge in knife crime. Some Britons propose making the laws even harsher. Others are offering more constructive solutions to get to the root causes of the problem.

Britain's experience demonstrates the importance of the Second Amendment. Under the logic of the Supreme Court's *District of Columbia v. Heller* decision, knives are certainly among the "arms" protected by the Second Amendment. Courts in Connecticut, Wisconsin, and Washington are among those that have recognized as much, with courts in the first two states finding that particular knife controls went too far and were unconstitutional.

Although England's 1689 Bill of Rights recognized the right to possess defensive arms, that right is now a dead letter, as are many of the others enumerated in that document. So today, Great Britain has trapped itself in a vicious cycle of rising crime and intensifying repression.

By the government's count, knife crime in Britain rose 36percent between 2013 and 2017. Some of the statistical increase can be attributed to changes in the recording practices of police departments, which have long underreported all sorts of crime. But the Home Office, whose functions include collecting crime statistics, acknowledges that knife crime is up sharply.

National Health Service hospitals reported a 13 percent increase in admissions of victims of knife-related assaults between 2015 and 2016. The next year, between 2016 and 2017, there was a further 7 percent increase. London mayor Sadiq Khan tweeted, "No excuses: there is never a reason to carry a knife. Anyone who does will be caught, and they will feel the full force of the law."

The problem certainly isn't a lack of laws against carrying knives. As Joyce Malcolm details in her book *Guns and Violence: The English Experience*, since the 1950s, the British have banned carrying *anything* with the intent to use it for self-defense. This even includes a hatpin, if a woman were to use it against an attempted rapist. In the Orwellian language of British law, the willingness to use something for self-defense makes it an "offensive weapon."

According to a British police website, it is illegal to carry any “product which is made or adapted to cause a person injury.” Britons are allowed, for example, to carry colored dye spray to mark an attacker, but if they spray the dye in the attacker’s eyes, it “would become an offensive weapon because it would be used in a way that was intended to cause injury.”

An American tourist was even convicted of carrying an “offensive weapon” after she used a pen knife to stab some men who were attacking her. Then, in the 1996 Offensive Weapons Act, carrying a knife was made presumptively illegal, even without the “offensive” intent to use the knife defensively. A person accused of the crime must “prove that he had a good reason or lawful authority for having” it to avoid punishment.

And even then, in practice, having a good reason is no protection. The first victim of the anti-knife law was Dean Payne, a man whose job at a distribution plant was to cut the straps on newspaper bundles. During what a local newspaper called “a routine search of his car,” the police found a lock knife, a small printer’s knife, and a Stanley knife. The magistrate readily accepted Payne’s testimony that he had no intention of using the knife for “offensive” purposes, but nevertheless sent him to jail for two weeks.

The persecution of crime victims and laborers seems to have emboldened rather than deterred violent criminals. So in 2016, the government banned the sale of so-called zombie knives, horror-film-inspired blades that are marketed as collectors’ items. Furthermore, online knife purchases cannot legally be delivered to residential addresses, and all sales to persons under 18 are prohibited.

Earlier this year, Poundland, a British chain of discount stores, terminated the sale of kitchen knives at its 850 locations in the U.K. and Ireland. The company expressed hope that “other retailers will join us.” Dr. John Crichton, chairman of the Royal College of Psychiatrists, has urged lawmakers to prohibit the sale of pointed kitchen knives. Luton Crown Court judge Nic Madge has proposed a national program to file down the points of kitchen knives.

In the late nineteenth and early twentieth centuries, Great Britain had very low homicide rates, and knife controls were close to nil. So what’s driving the present surge in knife attacks? According to the British Home Office, gang and drug activity are significant, interrelated contributors. Between 2014 and 2017, the proportion of homicides involving drugs increased from 50 percent to 57 percent. Conversely, non-drug-related homicides decreased.

Burgeoning crack-cocaine markets have mainstreamed the use of knives (and guns) among British youth. As in the U.S., illegal crack markets incentivize weapons possession and violence. For example, British gangs routinely engage in “taxing” — a new term for old-fashioned violence in territorial battles between gangs. Reporting on a particular method of drug distribution favored by British gangs, U.K. police forces recorded increased knife and firearm possession.

Meanwhile, weapons possession by gangsters has prompted non-gang-affiliated youth to arm themselves for protection.

In short, the U.K. has a drug and gang problem masquerading as a knife problem. Knife control is, by itself, a shallow solution. The futile effort to restrict the supply of knives and anything else that could possibly be used as a weapon ignores the root causes of criminal activity: As is the case everywhere else, crime in the U.K. is strongly associated with broken homes and poverty.

Making things worse, the number of police officers was reduced from 143,734 in 2010 to 123,142 in 2017. Leaked Home Office documents acknowledge that the police cuts “likely contributed” to rising violence, notwithstanding public denials from the Conservative government. Meanwhile, between 2010 and 2016, youth services were cut by £387 million, and 603 youth clubs were closed. Idle youth, broken families, and police cutbacks are a deadly combination.

Fortunately, the Home Office’s recent Serious Violence Strategy offers some sensible ideas, including early intervention and prevention with youth and community partnerships. Somewhat belatedly, there is now also a greater emphasis on hot-spots policing, which allocates scarce policing resources to the areas most affected by violent crime.

But there is more to be done. The U.K. might consider Cure Violence’s violence-interruption program, in which ex-convicts are trained to work in the community to prevent homicides. In the U.S. the program lowered shootings in seven Chicago neighborhoods (reductions of 41 percent to 73 percent), four in Baltimore (reductions of 34 percent to 56 percent), and two in New York (reductions of 37 percent and 50 percent). Perhaps this might help in Britain too.

Arms rights in England were never as robust as in the United States. The U.S. Second Amendment, ratified in 1791, declares that the right to keep and bear arms “shall not be infringed.” The more limited 1689 English Bill of Rights allowed “subjects” to “have arms for their defence suitable to their conditions and as allowed by law.” Today, there are no conditions under which English subjects may possess a suitable defensive arm in public. The English government prioritizes the safety of criminals over the safety of their victims. As England shows, the slippery slope of gun control doesn’t end with the confiscation of handguns, but with destruction of the right to self-defense itself.

David B. Kopel is an associate policy analyst at the Cato Institute in Washington, D.C. Vincent Harinam is a law-enforcement consultant and incoming Ph.D candidate at the University of Cambridge.