

Firearms Amnesty 2007

Options Paper

Background:

The United Kingdom has one of the most stringent firearms legislation in the world. Figures for 2006 state that we have 1,950 Registered Firearms Dealers (RFD), with over 122K firearms certificate holders providing nearly 350K legally held firearms. Additionally, there are over 570K shotgun certificate holders providing over 1.3 million legal shotguns.

The most recent Home Office Gun Crime figures (January 2006 to December 2006) show there were some 9513 offences (excluding air weapons) involving the use of a firearm in England and Wales. There were 2448 offences in which the weapon was classified as an imitation, a 26 percent decrease compared to the previous twelve months. Handgun offences fell by 11 per cent to 4191. In the twelve months to December 2006, serious injuries involving firearms fell by 12 percent. There were 57 incidents that resulted in death, compared to 53 the previous year, an increase of 8 percent.

The overall number of firearm robberies increased by 10 % in 2005/06 following three consecutive falls from 2002/03 to 2004/05. The majority, 35%, of the 10% increase were street robberies (i.e. committed in public highways), and robberies at shops which account for 25%. Firearm crimes in both these categories of location increased in 2005/06: street robberies by 9% (1,439 offences) and shop robberies by 15% (1,036 offences).

The largest percentage falls in 2005/06 were in banks: down 34% from 89 to 59. In addition to banks, there has been a marked decline in robberies in post offices. Bank and post office robberies have more than halved in three years. Although building society robberies increased slightly by numbers – six offences or 33% over 2005/06, the longer-term trend in bank and building society robberies has been markedly downwards. In 1995, they collectively accounted for 12% of all firearm robberies (or 521 out of 4,206 offences), but this proportion fell to just 2% (or 83 out of 4,120 offences) in 2005/06.¹

The greatest percentage increases in 2005/06 on 2004/05 were in residential robberies (44% or 197 offences). ‘Other premises or open space’ robberies decreased by 61 offences (8%) over the previous year.²

- 1 Home Office Statistical Bulletin - Crime in England & Wales 2005/06
- 2 Home Office Statistical Bulletin - Crime in England & Wales 2005/06.
- 3 SOCA UKTA 2007-08.

In the last national amnesty, 31st March – 30th April 2003, a total of 43,908 guns and 1,039,358 rounds of ammunition were handed in. These include 5,529 Prohibited weapons (including 5,734 handguns), 10,513 shotguns, 13,974 air weapons, 9,480 imitations. More recently, October 2006, a local amnesty was held in the Greater Manchester area following the murder of Jessie James. This resulted in 430 guns, 44 of which were real firearms, and 2,500 rounds of ammunition being removed from our streets.

Exempted Information – Section 31 – Law Enforcement.

Exempted Information – Section 31 – Law Enforcement and Section 38 Health and Safety.

However as previously referred to the successes of previous amnesties cannot be ignored. In particular the results which were evident following the amnesty in Greater Manchester in October 2006 - 430 guns, 44 of which were real firearms, and 2,500 rounds of ammunition being removed from our streets. With the removal of every real weapon and every round of ammunition it is potentially one less victim of gun crime.

The Home Office report “Gun Crime: The Market In and Use of Illegal Firearms”⁴, reports on research which was conducted with 80 Offenders who had been convicted of Gun Crime Offences. Some of the findings from this research are as follows:-

- Ongoing efforts are required to tackle the manufacture and sale of convertible imitation firearms and the conversion process. It may be possible to exploit criminal’s concerns about the dangers of using converted imitation firearms to limit their sale and use.

⁴ Home Office Report 298 “Gun Crime: The Market In and Use of Illegal Firearms” Gavin Hales, Chris Lewis and Daniel Silverstone.

- Further amnesties should be considered to try and reduce the existing stock of illegal or unwanted firearms.

- A quarter of those interviewed first contact with guns was with airguns or BB guns in their early teens.

The Home Office figures indicate that 48% of all gun crime involves air weapons. In the majority of crimes in which a firearm was used, handguns were the most common weapons. Handguns and imitations are mostly used to threaten and intimidate. The use of air weapons and BB guns in the commission of assaults, criminal damage and anti social behaviour offences was frequently mentioned by forces in their strategic assessments as accounting for the majority of firearms offences within the force area.

Interestingly, the Home Office report “Gun Crime: The Market In and Use of Illegal Firearms”,⁵ which uses information given by 80 prisoners convicted of firearms offences, indicates that one quarter of those prisoners interviewed first came into contact with firearms through the use of air weapons or BB guns, typically in their early teens. At least two had been convicted of shooting people with airguns and several referred to shooting wildlife. This appears to be an area in which forces can make a significant impact on the public’s fear of crime, and address one of the precursors to serious firearms offences.

The Violent Crime Reduction Act 2006 received Royal Assent on 8th November 2006. Provisions include a ban on the sale, manufacture and importation of realistic imitation firearms, and a new offence of using someone to mind a weapon. It also makes it an offence for persons under the age of 18 to buy or possess an air weapon.

There are estimated to be 4 -7 million air weapons in this country, the vast majority of which are used responsibly for a number of legitimate purposes (e.g. target shooting and vermin control). Whilst the intention of any amnesty would be to remove real weapons from our streets the harm that imitations and air weapons causes, both in respect of fear of crime within our communities and on crime figures, cannot be under estimated.

⁵ Home Office Report 298 “Gun Crime: The Market In and Use of Illegal Firearms” Gavin Hales, Chris Lewis and Daniel Silverstone.

Exempted Information – Section 31 – Law Enforcement and Section 38 Health and Safety.

Options:

The Criminal Use of Firearms Strategic Group have requested an Options paper on the merits, or not, of holding another National firearms amnesty and this paper sets out the options available to the Strategic Group for consideration.

Option 1

Exempted Information – Section 31 – Law Enforcement and Section 38 Health and Safety.

Option 2

Exempted Information – Section 31 – Law Enforcement and Section 38 Health and Safety.

Option 3

Exempted Information – Section 31 – Law Enforcement and Section 38 Health and Safety.

Option 4

Exempted Information – Section 31 – Law Enforcement and Section 38 Health and Safety.

Exempted Information – Section 31 – Law Enforcement and Section 38 Health and Safety.

Resources:

Exempted Information – Section 31 – Law Enforcement and Section 38 Health and Safety.

Options for timing of amnesty:

Exempted Information – Section 31 – Law Enforcement and Section 38 Health and Safety.

Consultation:

A number of agencies have been consulted to assist the preparation of this paper:

- **The Home Office** – The Home Office [Name removed], has been consulted regarding the proposal to hold a National Amnesty, and they are supportive of any decision taken by the CUF Strategic Group. The Government supports the work of dedicated, intelligence-led gun crime operations in police forces around the country and any measures aimed at tackling gun crime.
- **The Crown Prosecution Service** – [Name removed] has been consulted and has indicated the CPS would support a National amnesty however concerns were expressed that any such amnesty should be justified and with good reason. There was concern that an amnesty may conflict with the current political message regarding being tough on enforcement and strengthening firearms legislation – an amnesty effectively suspends firearms legislation.
- **Community Perspective** - The chair of CUF IAG, is, in principle, supportive of any measure, which removes firearms from our streets. If the decision is taken for amnesties to be held he is in favour of a more focused amnesty targeting the areas where there is a specific problem with gun crime. There are concerns though that a National amnesty could be seen as ‘tokenism’ within the communities we serve. It shouldn’t be used as a means to re-assure our communities. A further concern was around how the impact or success of any such amnesty is measured, the number of weapons or ammunition seized is not enough alone, the benefits to and perception within our communities must be measured. Some consideration should be given to the reporting criteria and account taken of the views of the communities’ affected, e.g. local statements or feedback.
- **Firearms licensing group**- [Name removed] has expressed a number of concerns should the decision be taken to hold an amnesty. The Firearms Licensing departments of Forces
would be heavily involved in the amnesty and there are already a number of activities that
will impose on Licensing departments this year, i.e. the roll out of FLMS, PNC connectivity of FLMS (involving time consuming data cleaning), Violent crime Reduction Act. The programme of activities already in place for licensing departments is
demanding and an amnesty would only compound this.

Conclusion:

There is no statutory basis for holding a gun amnesty. An amnesty is an agreement between the Attorney General, the Crown Prosecution Service and a Chief Officer not to prosecute individuals for offences of simple possession of firearms for a predetermined period.

Amnesties tend to be arranged in response to a particular problem or incident, or to a change in the law.

Gun amnesties never fail to generate political, public and media interest, both positive and negative, and they do result in the surrender of a great many firearms and large amounts of ammunition. The objectives and expectations of an amnesty should be clearly stated at the outset. There is no evidence to show that gun amnesties contribute to a reduction in levels of gun crime, or that they produce forensic evidence to indicate that weapons surrendered have been used in crime. The FSS cannot recall any weapon used in crime being identified in post-amnesty examinations.

Amnesties are best received in communities with high levels of gun crime where there are joint police and community initiatives and media interest, and where there is a popular focal point. However, where there are no initiatives or media interest, the response tends to be poor. To obtain a good response in an amnesty, there is a need to seek the active support of the community, and to publicise the anti-gun message through the media.

If a decision is taken that a national firearms amnesty be held, it should be based on or following a specific event or activity.

This paper is submitted for discussion and a determination of the way forward.

CUF Enforcement