

FCC

FIREARMS CONSULTATIVE COMMITTEE

TENTH ANNUAL REPORT

The Independent body established by an Act of Parliament to keep
under review the working of the Firearms Acts.

Report of the Firearms Consultative Committee for 1998-1999

Presented pursuant to Act Eliz II 1988 c.45

Section 22(6) (Firearms (Amendment) Act 1988)

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**Annual Report of the
Firearms Consultative Committee**

Sir

I have pleasure in submitting to you as required by Section 22(6) of the Firearms (Amendment) Act 1988 the Tenth Annual Report of the Firearms Consultative Committee.

DAVID PENN
Chairman

The Rt Hon Jack Straw MP
Secretary of State for the Home Department

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CHAPTER 1

Introduction

The Committee

1.1 The Firearms Consultative Committee is a statutory body set up under Section 22 of the Firearms (Amendment) Act 1988 (reproduced at **Annex A**). Members appointed to the Committee are chosen from those who appear to the Home Secretary to have knowledge and experience of either the possession, use (in particular for sporting or competition) or keeping of, or transactions in firearms or weapons technology, or the administration or enforcement of the provisions of the Firearms Acts.

1.2 Under Section 22 (8) of the 1988 Act the Committee initially existed for a period of five years from 1 February 1989. The life of the Committee was extended by Order for a further three years until 31 January 1997, and then again by a further three years until 31 January 2000. Paragraph 2 of the Firearms (Amendment) Act 1988 (Firearms Consultative Committee) Order 1996, which extended the Committee's life, is included at **Annex A**. Mr David Penn is the current chairman of the Committee, following the resignation of Lord Shrewsbury earlier this year.

1.3 Members of the Committee were appointed for periods of up to two years which may be renewed. There have been a number of changes to the Committee's complement over the past year and a list of members is at **Annex B**.

1.4 In view of the changes to the membership of the Committee, there has been no overall consensus on a number of issues. This report therefore seeks to set out the views of all parties as far as possible. While many of the recommendations of the Committee are supported by a majority of members, any differences of opinion have been noted. **The recommendations set out in chapter 16 of the Report should therefore be treated as a clear majority view rather than a full consensus.**

Aims and Activities

1.5 Following the passage of the 1997 Acts, the work of the Committee last year has been mainly concerned with matters arising from the implementation of the new legislation. This year presented an opportunity to consider some of the wider issues of firearms control.

1.6 At the start of the working year, the Home Office Minister of State Paul Boateng MP wrote to the then Chairman, Lord Shrewsbury, asking the FCC to consider a wide range of firearms issues over the coming year. This has formed the core of our work programme over this year. The full work programme is as follows:

- Age limits for shooting and young shots
- Antique firearms
- Component parts of firearms
- Countersignatories and referees
- Conditions on certificates and forms
- Criteria for Home Department-approved target shooting clubs

Deactivation standards and re-activation of firearms for use in crime
'End of Trail' target shooting
Fees for firearm and shotgun certificates
Illegal possession and criminal misuse of firearms
Inspection of Dealers' Premises
Low-powered air weapons
Marking and tracing of firearms
Miniature rifle ranges
Monitoring the use of carbines, gallery rifles and muzzle loading
handguns and the emergence of 'new' shooting disciplines
Pump-action shotguns
Replica and imitation firearms
Section 7 permits for handguns held under exemptions
Self-loading .22 rimfire rifles
Single Certificate for firearms and shotguns (abolition of a separate
shotgun certificate)
Sound Moderators
Trophies of war

1.7 The FCC has met seven times this year, excluding sub-group meetings. This includes meetings at the Forensic Science Laboratory, Lambeth, at the invitation of the Forensic Science Service; the headquarters of the British Association for Shooting and Conservation at Marford Mill, Wrexham; the London Proof House, at the invitation of the Worshipful Company of Gunmakers; and at Bisley Camp, Surrey, at the invitation of the National Rifle Association. Apart from their kind hospitality, the use of these venues has allowed the Committee to observe many of the practical issues involved in the use of firearms at first hand. We are also grateful to the City of London Police and Advocacy Ltd for providing us with venues for the sub-group meetings on the secure storage of firearms.

1.8 In considering its work programme, the FCC adopted both an over-arching aim and a general theme. As these have been borne in mind in our discussions over the year, it may be worthwhile setting these out in some detail.

Public Safety

1.9 The aim of the FCC in considering the year's work programme was to see how controls might be improved to protect public safety. Superficially, this may seem an obvious point, and we would not wish to suggest that we have overlooked this in previous years. However, it is important that the FCC is clear on this aim. It would be easy to adopt a position that all firearms are equally and unacceptably dangerous and that any measures against these is to be supported for its own sake. Equally, it would be easy to adopt a position that no measure that impedes private gun ownership is acceptable, amounting to an unfettered 'right to bear arms'. Finally, it would be open to all parties to adopt a position of administrative convenience, that hard work by any of the parties should be avoided, and measures should not be adopted if they are troublesome or expensive.

1.10 The FCC as a body rejects all of these positions as prejudiced, unhealthy in principle and damaging to its role as a consultative body and as a discursive forum. It is important that proposals put before the FCC should be measured against a clear benchmark, and the maintenance of public safety was chosen as such.

1.11 Linked to this is the concern of several members about the potential ‘firepower’ of particular classes of readily portable weapon, that might be defined as a combination of one or more of their rate of fire, ease of reloading, terminal effectiveness, ease of concealment and portability. The development of military weapons in this century has sought to develop these characteristics, which make such weapons attractive to those intent on criminal misuse of firearms. The Committee have sought to bear this in mind in its deliberations, and to exercise proper caution in dealing with weapons that may present a particular danger to public safety in this respect.

Illegal Firearms

1.12 The underlying theme of the FCC’s work for this year was the illegal possession of firearms by criminals, and what steps might be taken to prevent this. The tragic events at Hungerford and Dunblane have concentrated debate in the recent past on the misuse of legally-held firearms by certificate holders, and it was important that the Government and Parliament should have addressed this issue. However, the FCC would echo the Government’s stated view that the vast majority of certificate holders are honest and law-abiding, and possess their firearms safely and without incident. The FCC would also agree with the general understanding that the vast majority of serious firearms crimes are committed using firearms that are not licensed and are owned illegally, often by people who would never be granted a certificate if they applied for one. Serious shooting incidents in London and Manchester over the past few years have illustrated this issue.

1.13 It is not the role of the FCC to become involved in police and HM Customs operations against organised crime. However, the FCC’s interest over this year has been to seek to find ways of impeding criminals from obtaining firearms through legitimate sources. Within this context we would wish to make two observations.

1.14 The first is that discussion of firearms crime continues to be impeded by a lack of clear information as to where criminals obtain their firearms. The extent to which firearms are readily available to ordinary criminals is fiercely debated, but in many ways the effectiveness of controls on firearms rests on this uncertain point. The effectiveness of measures to prevent criminals from obtaining firearms from domestic sources, for example, is dependent in part on the ease with which criminals can smuggle in arms from abroad. The FCC would like to make it clear that it believes that proper debate on firearms controls would be greatly assisted by more information about sources of illegal firearms. Only a minority of those firearms recovered by the police are sent to the Forensic Science Service for examination. Several members of the FCC have offered their expert services in a

project to attempt to establish the sources of all illegal firearms by a study of those arms seized by the police. The costs of such a project would be limited, and the Government may wish to bear these if they feel that research in this field is sufficiently important. The FCC *recommends* that the Government adopts this proposal.

1.15 The second point is that additional controls on the legitimate possession of firearms should not be assumed to have a significant direct effect on the illegal use of firearms. The FCC believes that the evidence that changes in the law will deal with those accustomed to break the law needs to be carefully examined. There have been many times during the discussions of the FCC over this year in which the enforcement of the existing law, rather than any changes to the law itself, has been advocated as the best way forward. The FCC would suggest that legislative change should not necessarily be the first option for dealing with problems. On several occasions when the FCC has itself proposed legislative changes, Parliamentary time has not been found to consider them.

Representations

1.16 A list of those who have made representations to the Committee this year is included at **Annex C**. Anyone wishing to draw to the attention of the Committee any issue which is properly within our remit should write to

The Secretary
Firearms Consultative Committee
Room 543
50, Queen Anne's gate
London SW1H 9AT

1.17 We would repeat our annual reminder that it is not the Committee's function to seek to intervene in or comment on individual applications for the grant or renewal of firearm or shotgun certificates, or to act as an appellate authority where individuals are aggrieved by the decisions of individual chief officers of police. Nor would it be right for the Committee to endorse specific commercial products as this would go beyond our terms of reference.

The Future Role and Composition of the Committee

1.18 This year the FCC has looked again at its role and composition in the light of the changes made by the Secretary of State earlier this year and the Committee's work since then. In general, the FCC believes that the conclusions it reached last year are valid. It is acknowledged that for any group to press for its own continuation is likely to be met with some scepticism. On this basis, the FCC feels it appropriate to set out its view in some detail.

1.19 The first issue is whether there is a need for a consultative body of this kind at all. The consensus of the police, officials and shooting organisations represented on the FCC is that it is useful. It serves as a forum for discussion and as a means of achieving greater understanding

between all the parties concerned. Given the range of issues continuing and emerging over the years, there is little danger of it standing idle. Even should it meet less frequently, it would be easier for the Secretary of State to gather an existing panel of experts than set one up from scratch. Membership is not paid, and the willingness of members to give up their time for this work may help illustrate its value. The FCC would note that ACPO(S), having expressed concerns about the FCC in the past, now broadly supports the FCC in its present composition.

1.20 The terms of Section 22 of the 1988 Act by which the FCC was established require its members to have ‘knowledge and experience’ of firearms matters. We believe that this is a valuable provision, and combined with the FCC’s statutory authority gives its recommendations a level of standing that would be difficult to achieve by other means.

1.21 It is noted that groups of experts in any field are prone to reflect the established wisdom of their field and be subject to partisan views on their areas of interest. However, the Secretary of State is free within the statutory constraints of Section 22 to appoint any individual or combination thereof that he sees fit. He is also free to disagree with or not accept the advice of the FCC.

1.22 The FCC considered whether its composition might be altered to move away from an ‘expert’ committee to something more akin to a ‘jury’ of ordinary people. However, the latter role lies properly through Parliament, and the current work of the Home Affairs Committee of the House of Commons on firearms controls illustrates this role.

1.23 The FCC also considered whether the current system of *ad hominem* appointments to the FCC might be replaced by *ex officio* appointments, with each member representing a particular body or group. The FCC felt that on balance this was not desirable. Members were already able to bring the views of particular groups to the FCC, but were not constrained to act solely as delegates putting forward a ‘party line’. They were therefore free to debate the issues and bring their own expertise to bear on problems, reaching a consensus that may be of more use to the Secretary of State than a series of sterile confrontations on difficult issues. The proposals of the FCC on deactivated and replica firearms set out in Chapter 4 are a good illustration of what can be achieved through this approach.

1.24 The FCC would also wish to raise the use of sub-groups to deal with the more complex and technical issues. Apart from reducing the burden on the main FCC, the sub-groups have allowed the invitation of people from outside the main FCC who bring particular knowledge and experience to discussions. A full list of those from outside the FCC who have been members of sub-groups is attached at **Annex D**. It would be open to the FCC in future years to invite a broad spectrum of

interested parties to sub-group meetings in order to ensure that criticisms of controls, for example in the media or by lobbying groups, are properly discussed. The FCC also takes evidence from interested parties and outside bodies, giving it a broader basis of evidence from which to reach its conclusions.

1.25 The Secretary of State will wish to review the continuation and composition of the FCC later this year. While ministers will of course wish to review both the appointment of individuals and the overall balance of viewpoints on the FCC, a clear majority on the Committee would wish to *recommend* its retention in broadly the current form.

1.26 The Committee notes that the Gun Control Network dissents from this position. The GCN would recommend a reformed committee with a broadly even balance between representatives of the shooting interests, enforcement agencies, and those with an interest in stronger controls on firearms. Additional members might include public health professionals such as the Health and Safety Executive and the British Medical Association.

CHAPTER 2

Controls on air weapons

2.1 The FCC has considered controls on low-powered (not subject to certificate) air weapons in previous years and most recently during this working year. As these are a separate category in terms of controls and of patterns of misuse, it is proper to deal with them separately from those airguns that are powerful enough to require a firearm certificate under current controls. Also excluded from most of the discussions below are very low powered 'soft air' and some 'BB' guns. These fall below the threshold for being a 'lethal barrelled weapon' and thus a firearm, which may be held to be roughly one or two joules muzzle energy.

2.1 The FCC acknowledges that air weapons are misused more often statistically than other firearms: in 1997 there were 7,506 recorded offences in England and Wales involving airguns as opposed to 4,094 involving other firearms. These have included damage to property, the death and injury of wild or domestic animals, and injuries and even death to people, especially children. The FCC would in no way wish to detract from the prevalence and seriousness of some of these incidents or the distress and suffering caused. However, the risks of death or serious injury from these items should not be exaggerated or taken out of context from other likely causes of injuries.

2.3 The FCC considered whether any changes to the existing power limits of uncertificated air guns might be needed. At present these were set by the Dangerous Air Weapons Rules as 6 foot pounds for pistols and 12 foot pounds for air rifles and other air guns. The FCC considered that these limits were acceptable. The 6 foot pound limit for air pistols (roughly 8 joules) was such that it seriously reduced the risk of a fatal injury being inflicted. The 12 foot pound level for air rifles (roughly 16 joules) fell well below that of a .22 rimfire rifle, the nearest comparable firearm (at least 60 foot pounds), but was the minimum needed to kill rabbits and other small game and vermin. To reduce the limit would lead to more need for those involved in these activities to use powerful air rifles, .22 rimfire rifles and shotguns for this purpose. On this basis, subject to the comments below, the FCC *recommends* that the law in this area relating to the power of air weapons should not be amended.

2.4 Other than on the age of possession (see Chapter 3) a firm majority of members do not favour any changes to the law on air weapons in themselves, and so *recommend*. It is noted that only the Gun Control Network favoured certificate controls on airguns. The FCC understands that there are estimated to be between four and seven million airguns in circulation in the UK. The certification of air weapons would require considerable resources that might better be spent on other policing matters. As air weapons were currently unlicensed, it would be difficult for the police to detect and locate many air guns owned by private individuals. In many cases these items may have been forgotten about by their owners and emerge from attics and cupboards over the years with the clear potential for misuse. The

police have suggested that a well-publicised ‘amnesty’ for those airguns that owners no longer needed might help remove ‘surplus’ guns from circulation, though a small financial incentive might be needed to encourage owners to hand these in. The FCC *recommend* that this idea might be explored further.

2.5 Compared with the estimated four to seven million airguns in circulation, the rate of airgun misuse in recent years was comparatively small, although having risen in recent years with a small decline in 1997. The FCC awaits with interest the figures for 1998. As with many other measures of control, the burden of obeying a licensing system or other controls was likely to fall upon those law-abiding enough to present their guns for licensing, rather than the hooligan element prone to misuse these weapons.

2.6 The FCC considered that more effective use might be made of the existing provisions for detecting, prosecuting and sentencing offenders. It was appreciated that this may be incompatible with the overall Government policy towards minor, first time and particularly young offenders. While the latter may be wholly reasonable, the FCC would suggest that its impact on the enforcement of existing and future controls should not be overlooked. If a particular approach is adopted to the commission of serious crimes by young people such as so-called ‘joyriding’, it would be anomalous to adopt a more severe approach to airgun misuse. Most of the active misuse of airguns involved a range of offences against the existing law, other than the Firearms Acts, and it was not clear if further restrictions would add significantly to the police’s ability to deal with airgun crime. The Committee appreciates that it would not be proper to seek to interfere in individual police and CPS decisions. Within this framework, the FCC *recommends* that policies relating to more vigorous use of existing powers might be considered.

2.7 The FCC felt that the education of young people and retailers, and supervised use of airguns in legitimate shooting activities, was preferable to uncontrolled use and should be supported. It appeared that much airgun misuse was committed by those who were both unaware of the laws on airguns that they might be breaking and of the potential power and danger of these items if misused. It was arguable that many of the serious injuries and fatalities inflicted by airguns were unintended and might have been prevented by proper education as to the potential dangers associated with air weapons and an assumption by adults of their proper responsibilities. Likewise, the education of retailers as to their responsibilities in law would be helpful. The FCC therefore *recommend* that a campaign of education by interested parties should be used to reduce accidents and misuse.

Low-powered cartridge weapons

2.8 Two issues have been raised with the FCC that it is proper to deal with under this heading. The first is the legal classification of very small calibre cartridge firearms chambered for use with 4mm

cartridges that are less powerful than air weapons. These have generally been manufactured on the continent as 'saloon' target firearms or as curiosities. While acknowledging that these are low-powered and may pose little realistic threat to public safety, it would blur the boundaries of the term 'air weapon' unacceptably to include these under the provisions relating to air weapons. The FCC therefore *recommends* no change in the law in this area.

Premium Rate telephone sales of 'soft-air' guns

2.9 The other issue is the advertisement of low-powered 'soft-air' guns through Premium Rate telephone services, which has been raised with us by the Premium Rate Association. These items are not considered powerful enough to be treated as air weapons in law. The FCC notes that young people may have access to such advertisements, and may be able to purchase other more dangerous items, such as catapults, through this method. The FCC would suggest that this problem relates more to the wider use of such services to advertise items that might be purchased by young people, rather than the specific issue of firearms control as such. The FCC would *recommend* that the Premium Rate Association adopts a code of practice to regulate this.

CHAPTER 3

Age limits and young shots

3.1 The discussions of the FCC dealt with this issue in association with that of air rifles, and it is therefore proper to set the previous chapter in context. In this discussion, we would differentiate between 'children', broadly those aged 13 and under, and 'young people,' those aged 14 to 17. It was noted that, in Scotland, young people were regarded as 'adults' in law at the age of 16.

3.2 There was no evidence to suggest that young people in the UK had been using licensed firearms in serious crime, setting aside the issue of air weapons that is dealt with in the previous chapter and below. The FCC was divided as to the best approach to young people and firearms. The FCC noted the position of the GCN that young people should not handle firearms at all, but most members did not support this idea. As with many other moral issues, this was a matter on which parents should be free to decide whether their children should become involved in such activities. Target shooting was an established part of the activities of the Scouts and the Cadet forces, recently re-affirmed in the case of the former. The case that shooting sports might be permitted for adults but were unacceptable for young people was not made out to the FCC. On this basis, the FCC, with the exception of the GCN, *recommends* that young people should be allowed in principle to possess firearms.

3.3 The FCC considered that all shooting by children, who might reasonably be distinguished from young people as those under 14, should only take place under adult supervision. Apart from the potential for misuse or dangerous accidents, it was proper within the context of the lawful use of firearms that children should be taught safe and responsible firearms handling. Such a provision would also give the police clear authority to deal with children found in possession of firearms without supervision.

3.4 The FCC were divided on the issue of whether young people, broadly those aged 14 to 17, should be allowed to handle firearms without supervision. On the one hand, a supervision requirement might allow the police to deal more effectively with airgun crime. As with other offences of possession, for example of knives and offensive weapons, it would allow the police to head off the risk of hooligan behaviour. The chance of being caught while going to or from the site of airgun misuse may help deter hooligans who currently could carry airguns without interference.

3.5 On the other hand, the police may meet with practical problems in enforcing such a measure effectively. There were occasions where young people might need to carry firearms without supervision, for example while travelling to their local target-shooting club. Many teenagers living on farms were involved in vermin control with air rifles, .22 rimfire rifles and shotguns, almost wholly without incident.

3.6 It should be made clear that these two positions are not absolutes. Those members who favoured allowing young people to shoot without supervision favoured maintaining or rationalising the existing controls that limited what access young people had to firearms. Those in favour of supervision accepted that there were limited circumstances where this might not be needed. In general, the FCC did not favour any relaxation of the current controls on the use of firearms by children or young people. There was also a broad consensus that the present age limits were over-complex and potentially confusing. The FCC therefore *recommends* that the Government should consider rationalising the present arrangements for young people to handle firearms in the light of the points raised above.

CHAPTER 4

Deactivated and replica firearms

4.1 As part of its work programme for this year, the FCC decided to look again at both deactivated and replica firearms. In as far as these items are items that resemble, but are not, firearms for legal purposes, it was considered proper to consider them together. A sub-group was set up to consider this issue, the membership of which is set out in **Annex D**.

Deactivated firearms

4.2 The Firearms Act 1968 defines a 'firearm' as a 'lethal barrelled weapon'. It has always been accepted that if a firearm is damaged sufficiently, then at some point it would cease to be a weapon and become simply a piece of scrap metal. Prior to 1988, there was no clear legal boundary between a working gun, one that could easily be repaired, and one that could never reasonably be made to work.

4.3 Section 8 of the Firearms (Amendment) Act 1988 creates a rebuttable presumption that if a firearm is deactivated to the standards set by the Secretary of State, and is marked and certified by one of the Proof Houses as such, then it is deactivated and ceases to be a firearm. This provision was intended to clarify the law in this area and to assist gunsmiths in de-activating guns as 'wall-hangers'. These provisions have led to a substantial rise in the number of de-activations. It is of course open to the courts to find that a gun has ceased to be a firearm even if it does not meet the Home Office standards, and heavily rusted guns recovered from wrecked ships and aircraft will often be regarded as no longer 'firearms'.

4.4 In the years leading up to 1995, the police and the Forensic Science Service identified that criminals were using increasingly sophisticated techniques to restore some types of deactivated firearms to working order. Substantial numbers of these were found to have been used in crime. The Home Office issued strengthened standards in 1995, in respect of all types of deactivated firearm, but which also incorporated a far stricter 'A' specification applicable to portable prohibited weapons such as the Uzi and MAC-10 sub-machine guns. However, these were not retro-active, and pre-1995 deactivations are still in lawful circulation. As the special 'A' specification involved the welding solid of the moving parts, pre-1995 guns are sought after by both legitimate collectors for demonstration purposes, and by criminal re-activators.

4.5 The older standards included only a single specification for all arms which allowed the apparently normal movement of many components such as the hammer, slide, bolt, safety catch and fire selector switch. In the case of the 1995 'A' specifications, this was prevented as most of the internal components were effectively destroyed or welded solid to the body of the gun. The Gun Trade Association proposed that a 'B' specification for portable prohibited weapons which allowed for a significant degree of movement of some of these parts without significantly compromising the strict standards of deactivation intended. The proposals were tested and accepted by

firearms experts at the Forensic Science Service. However, this was not adopted by the Home Office, and the current standards only have a single specification, adding to the desirability of guns deactivated to the pre-1995 standard.

Replica firearms

4.6 A replica or imitation firearm is defined in Section 57(4) of the Firearms Act 1968 as any thing which has the appearance of being a firearm (other than a weapon mentioned in 5(1)(b) of the Act) whether or not it is capable of discharging any shot, bullet or other missile. This category includes both sophisticated replicas of real firearms designed to fire blank ammunition for theatrical and re-enactment purposes, potentially through low-powered 'soft-air' guns, to cruder home-made imitations and even children's toys.

4.7 Concerns about the misuse of non-convertible replicas have centred around their realistic appearance and free availability, especially in the case of those capable of firing blank ammunition. This has made them attractive both to criminals seeking to threaten people, and to irresponsible youngsters who wish to be seen carrying a 'gun'. In many cases, the possession by an individual of a replica gun may lead to the deployment of armed police officers with potentially tragic results.

4.8 The Firearms (Amendment) Act 1994 created a new offence of possession of a firearm or imitation firearm with intent to cause fear of unlawful violence, as well as extending a number of crimes involving the misuse of firearms to cover imitations. This has allowed the police some ability to arrest people found carrying replicas in suspicious circumstances and was generally agreed to be a useful measure for dealing with the misuse of replicas, though ACPO favour a strengthening of this provision.

4.9 The Firearms Act 1982 applies to an imitation firearm, and requires that it be treated as a real firearm, if (a) it has the appearance of a firearm to which section 1 of the Firearms Act 1968 (firearms requiring a firearm certificate) applies; and (b) is so constructed or adapted as to be readily convertible into a firearm to which that section applies. Together with the Model Firearms Examination Scheme operated by the Forensic Science Service to the Gun Trade has for the most part dealt with this category of firearms, with the exception of one make of replica Derringer not appearing initially to be a problem arm. Problems have also arisen with .22 inch Brocock air cartridge revolvers, although these are not directly comparable with imitation firearms, as they already fulfil the general definition of a firearm provided under 57(1) of the 1968 Act, have been converted to fire .22 inch bullet rimfire ammunition.

4.10 The Firearms Consultative Committee looked at this issue in their Seventh Annual Report, and concluded that the present law was appropriate to deal with the nature of the problem at that time. They

highlighted both the problem of defining replica firearms in law, the impact of legislation on law-abiding owners, and the ease with which criminals might make replica guns that could deceive most people in a stressful situation such as a robbery. The FCC, with the exception of the GCN, notes that the points raised previously are still valid and need not be rehearsed at length here.

General principles

4.11 The sub-group which looked at this issue on our behalf agreed that the re-activation of firearms by criminals was a genuine problem, the FSS laboratory at Huntingdon alone dealing with some fifty cases a year. Some of these individual cases include substantial numbers of guns, aside from those guns recovered by the police but not submitted to the FSS. It was estimated that the re-activated firearms in criminal hands were considerable, perhaps up to a thousand bearing in mind that those recovered by the police may be a fraction of those in circulation. Before being identified and dealt with by the authorities, a small number of rogue dealers in recent cases were able to supply considerable numbers of self-loading pistols and sub-machine guns to criminals. In as far as it supplied a source of usable and clearly desirable firearms to serious organised criminals, effective steps should be taken to deal with the problem.

4.12 On the other hand, it was acknowledged that there were considerable numbers of deactivated guns in uncontrolled circulation, probably some 120,000 of which 50-60,000 were military weapons (including bolt-action rifles that had not featured in the reactivation problem). Most of these were held for lawful purposes, such as collection, demonstration and display, film and theatre work and historical re-enactment. As they could not be fired without conversion they were more suitable than fully functioning firearms for such purposes. The sub-group wished to take account of the legitimate needs of these groups.

4.13 Similar issues of control and legitimate use applied to replica firearms. The Forensic Science Service had not encountered any cases where an unmodified de-activated firearm had been used in crime as an imitation. This may be due to the low cost of replicas and their ability in some cases to fire blank ammunition. On this basis, the FCC did not generally favour the creation of new offences where these would be burdensome to law-abiding people, might lead to absurdity and injustice, and were realistically unlikely to have much impact on crime.

Recommendations

4.14 The consensus of the group was that there was no single measure that would deal decisively with the problems of criminal misuse of de-activated and replica firearms, even setting aside any problems that such measures might cause to their legitimate owners. In as far as these items were not currently subject to control, it would be difficult to recover them from those who wished to retain them. The recommendations set out below are therefore proposed as a package of steps that might be taken to reduce the existing problems. With this proviso, the Committee *recommends* the following steps should be taken;

- The Committee agreed that a complete ban on de-activated firearms presented serious practical problems, though it is noted that the GCN favour a complete ban on these items. This would cause inconvenience to legitimate owners and dealers while being very difficult to enforce against criminals in practice. While it would prevent further deactivated guns being added legitimately to the pool available for criminal re-activation, it would not remove those deactivated firearms already in circulation.
- The Home Office should introduce a new, tougher 'A' specification for handguns as soon as possible, and draw up a 'B' specification (with moving parts) at the same time or as soon as possible thereafter to avoid encouraging dealers to stockpile guns for submission under the new 'B' specification. Any revised standard requiring the complete internal destruction of the mechanism were likely to be ignored, with the courts being left to determine in individual cases whether the firearm in question was still a 'lethal barrelled weapon'.
- The Home Office should encourage other European countries to conform to the UK 'A' and 'B' specification as a good standard for de-activation work. At present there had been cases of poorly de-activated guns slipping in from abroad on the misunderstanding that they were not treated as 'firearms' in the UK, setting aside any deliberate importation by criminals. This measure would also reduce the risk posed to other European countries by criminal re-activation.
- Primary legislation should provide that future deactivations *must* be to the current standards and certified accordingly by the UK Proof Houses.
- The Proof Houses should only provide replacement certificates to guns de-activated to the current standards. At present, the Proof Houses could provide owners of pre-1995 de-activations with replacement certificates to confirm their validity and there was scope for abuse of this.
- While sophisticated 'cloning' techniques had been used to divert guns onto the illegal market, much criminal diversion by dealers was simpler and easier to identify. In considering the inspection of dealer's registers, the police should bear in mind the scope for guns to be entered falsely as 'deactivated': checking with the Proof Houses would reveal the deception.
- The Home Office should consider seriously the scope for buying in the open market those pre-1995 de-activated firearms regarded as a particular problem (i.e. some handguns and sub-machine guns). This might remove such weapons from circulation without encouraging the trade in such guns to go underground.

- The group agreed that there should be greater co-operation between the police, the Forensic Science Service and the gun trade to identify those types of replica gun liable to conversion by criminals and to restrict the sale of these. It was accepted that any measures might be circumvented by the less scrupulous dealer, but would make such items less easy to obtain on a casual basis. We understand that the trade is taking steps to remove replica Derringers from sale and we welcome this responsible attitude.
- The FCC in general did not support the idea of a general ban on replica firearms, though we note that the GCN, ACPO and ACPO(S) favour the removal of realistic replicas from common circulation . This would be difficult to define and to enforce and potentially easy for criminals to evade. Much of the misuse of replicas already involved the commission of serious crimes.
- The FCC recommend that consideration be given to restricting carriage of replicas in a public place in circumstances likely to cause alarm or distress. This could be drafted to accommodate parades, theatre and historical re-enactment and similar legitimate purposes.
- The FCC support the measures already taken to educate people about the dangers of possession and casual misuse of replicas. Any such measures need to be carefully designed to avoid glamorising these items and encouraging their misuse.

CHAPTER 5

Controls on shotguns

5.1 This year the FCC has sought to consider two classes of shotgun as defined by law. The first are those with either no magazine or a restricted magazine, described under Section 2 of the Firearms Act 1968, which may be held on a shotgun certificate. The second are those long-barrelled, fixed stock, pump-action or self-loading shotguns with a large magazine, which may be held on a firearm certificate. This chapter deals with the first category, and the term 'shotgun' is used here only to describe those shotguns subject to section 2 of the 1968 Act, as currently amended.

5.2 The distinction between controls on shotguns and on other firearms is a complex one with much scope for confusion, and it may be helpful to set out some of the background to this discussion.

Controls on shotguns: a short history

5.3 The Firearms Act 1920 was intended to control those types of firearms likely to be used by terrorists and Bolshevik revolutionaries, such as pistols and rifles. As the majority of firearms in civilian hands in the UK were shotguns, it was felt proper to exclude all smooth bored guns from the proposed controls. A 'shotgun' was later defined in the 1936 (Amendment) Act as a 'smooth-bore firearm with a barrel length of greater than 20 inches', a definition used in the 1937 consolidation Act and retained until 1965 when the minimum length was raised to 24 inches. This definition was intended to exclude both smooth-barrelled pistols and sawn-off shotguns. However, as both long-barrelled shotguns and their ammunition were freely available, criminals took to shortening the barrels of these weapons for ease of concealment, and the sawn-off shotgun became the archetypal weapon of the British armed robber from the 1920s to the late 1970s.

5.4 The growth of crime involving shotguns in the 1960s led to a system of licensing being introduced in 1968. Anyone wishing to own shotguns had to obtain a 'shotgun certificate' from their local police, who would issue a certificate if they were satisfied that the applicant could be entrusted with shotguns without danger to public safety or to the peace. The applicant was not required to show good reason for wanting a shotgun, and there were no limits to the number of shotguns that he could acquire once he obtained a certificate and no recording of serial numbers or notification of transfer. This measure was consolidated as part of the Firearms Act 1968.

5.5 The Firearms (Amendment) Act 1988 made four main changes to the controls on shotguns:

- It tightened the definition of 'shotgun' to make this conform more closely to the traditional English sporting shotgun. Pump-action and self-loading shotguns with fixed stocks and large magazines were moved into the same category of controls as other firearms. Prior to this, certain dealers were marketing under the 'shotgun' category weapons such as revolvers and self-loading carbines smooth-bored and fitted with crude barrel

extensions, some of which were later used in serious crime after being cut back to their original barrel lengths. During this period some dealers even marketed military mortars and anti-tank rocket launchers as ‘shotguns’,

- It required that owners of shotguns ensure that these are stored safely when not in use. In practice, this requires the same level of secure storage as for other firearms, for example in a steel cabinet;
- It provided that the police could refuse to grant a shotgun certificate if they were satisfied that the applicant had no good reason for possessing shotguns. This was intended to allow the police to refuse applications for shotguns where they felt that the applicant had no legitimate reason or even a positively bad reason for acquiring a shotgun; and
- Shotgun ammunition could only be sold or transferred on the production of a shotgun certificate.

5.6 These controls are broadly those in force at present. While the Firearms (Amendment) Act 1997 made some changes that affect shotguns, for example the ban on the postal sale of firearms, most of the changes dealt with controls on handguns and other firearms.

Further Controls

5.7 The Committee considered two broad approaches to reforming the law relating to shotguns and the possible replacement of the firearms and shotgun certificates by a single certificate. These may be summed up as follows:

- (a) Raising section 2 shotguns to the same level of controls as other firearms under section 1 of the Act. This would mean adopting most or all of the features of the firearms licensing system, including a ‘good reason’ requirement, inspections of land over which the weapon is to be used and controls on numbers of shotguns to be held. This is the approach broadly favoured by the police service and the GCN;
- (b) Creating a new single certificate for shotguns and other firearms, but without adopting all the features of the current firearms licensing system. This is an approach favoured, in as far as reform of this kind is supported, by the shooting organisations.

5.8 The FCC notes that maintaining a separate system of licensing for shotguns and firearms is potentially complex, confusing and that reform may be needed. However, there remain questions about the efficiency of a combined system, savings in administration being balanced against greater, possibly unnecessary work for the police in dealing with shotgun certificates. It may be proper to look at the whole system of licensing more thoroughly rather than simply place shotguns

under the same provisions as other firearms. Most of those classes of firearms at present under Section 1 control (rifles, muzzle-loading pistols and revolvers, unmodified long barrelled repeating shotguns, shorter barrelled conventional shotguns usually with barrels of around 20 inches, and signal pistols) have no significant track record of misuse.

5.9 The FCC also noted the genuine concerns of shotgun owners that a strengthening of controls may lead to restrictions on shotgun ownership that are unwarranted and harmful to the prosperity and way of life of many people living in or associated with the countryside. It would fall beyond the remit of the Committee to explore this issue fully, but these concerns will need to be addressed in any further review of the law.

5.10 This is an issue on which the FCC has been unable to reach a firm conclusion. If the life of the FCC is to continue next year, we would wish to explore this idea further.

CHAPTER 6

Pump-action and self-loading shotguns (Large Capacity Magazine Shotguns)

6.1 Under this heading, the FCC have considered the issue of large-magazine, fixed-stock pump-action and self-loading shotguns of the kind subject to Section 1 of the 1968 Act. Pump-action and self-loading shotguns with restricted magazines may be held on a shotgun certificate. Short-barrelled, shotguns with folding or detachable stocks and smooth bore breech-loading revolver guns (other than those chambered for 9mm rimfire) included weapons designed for specialist police and military purposes and were prohibited under Section 5 of the Act. For simplicity, the term 'large-magazine shotgun' is used to describe only those subject to Section 1 of the Act. The classification of shotguns has been accepted as a point of potential confusion, and readers will wish to be careful over the terminology used.

6.2 Large magazine shotguns of this kind are one of the few classes of firearms subject to Section 1 of the 1968 Act and which have any serious record of use by criminals. These are often sawn down, removing much of the butt-stock and the barrel in order to make them more concealable, and thus taking them into Section 5 of the Act. We understand from the Forensic Science Service that the misuse of such weapons rose in the 1980s, but has fallen then remained steady during the last decade. Misuse of the full-length versions of these items has been rare. However, in view of the issues of 'firepower' raised in Chapter 1, the FCC has taken a generally cautious approach to these items.

6.3 Apart from 'practical' shooting sports, which are dealt with in the next chapter, the main use of large-magazine shotguns is for vermin control. There are occasions in dealing with large numbers of vermin under the provisions of the Wildlife and Countryside Act 1981, in particular wood pigeon and corvids (rooks and crows), where a comparatively high rate of fire over a short period of time is needed to deal effectively with these pests.

6.4 The FCC notes that large-magazine shotguns are not and should not be permitted lightly for most vermin control (for example dealing with rabbits where in most cases a section 2 shotgun would be more appropriate). On the other hand, both ACPO(S) and the GCN accept in principle that firearms of this type may have a legitimate use for agricultural purposes, albeit in limited circumstances and in the context of tighter restrictions on these items. On this basis, the majority of the FCC, excepting ACPO(S) and the GCN, would suggest that a proper balance on this point has been struck and that no change to the law in this area is necessary.

6.5 The FCC also note that pump-action and self-loading shotguns are of more robust construction and more capable than most double or single-barrelled shotguns of handling steel shot and other loads required due to the ban on lead shot over wetlands. In this respect the FCC would suggest that Government policies may be increasing the pressure on shooters to move to such weapons, albeit those with reduced magazine capacity and subject to section 2 controls.

CHAPTER 7

Practical shooting disciplines the British Western Shooting Society, and ‘End of Trail’ shooting

7.1 In its last Annual Report, the FCC announced its intention to consider the activities of the British Western Shooting Society (BWSS). Apart from vermin control, the main use of large-magazine shotguns at present is for ‘practical’ shooting disciplines. It is therefore proper to bring these two issues together and consider the wider issue of ‘practical’ shooting disciplines.

7.2 Most target shooting activities have their roots in hunting or military training activities. Many of these have become stylised as formal shooting disciplines, with any training purpose taking a secondary or non-existent role. Clay pigeon shooting would be an example of the former, and the Olympic Modern Pentathlon, based on the activities needed of a military messenger at the turn of the century, would be an example of the latter (including running, swimming, horse-riding, sword-fighting and pistol shooting). Most military training and civilian target shooting with rifles involves similar shooting at a known target array, at known distances from a set position.

7.3 From the 1900s onwards following the Second Anglo-Boer War, however, police and military training in the use of firearms has involved a greater element of ‘realism’. This included both the shooter moving and targets moving into sight, reflecting the actual circumstances of close combat situations. Some civilian target shooters have sought to adapt this form of training as a sport, and shooting disciplines of this kind are generally referred to as ‘practical’ shooting disciplines. Some of these are modelled on military and police training exercises, some owe much to adventure fiction and the use of firearms in film and theatre, and some are more abstract and closer to conventional shooting disciplines.

7.4 A number of different points of view were put forward on the acceptability or otherwise of these activities as part of target shooting in the UK. The main groups active in this area are the United Kingdom Practical Shooting Association (UKPSA) and the British Western Shooting Society (BWSS). The BWSS are enthusiasts for ‘End of Trail’ shooting, a series of activities based on what cowboys in the ‘Old West’ might have done for amusement, this activity being carried out in appropriate Western costume and with the weapons of the period. The BWSS kindly provided a demonstration of their activities during our meeting at Bisley Camp in June this year. The UKPSA favour a more abstract approach to practical shooting than the ‘scenario’ based approach favoured by some American bodies.

7.5 ACPO(S) and the GCN take the view that ‘practical’ shooting is unacceptable and should not be permitted. The origins of such practice lay in training in the use of firearms to kill. As such, it was not a fit subject for ‘amusement’, and was likely to attract those with an unhealthy attitude towards firearms and to encourage such an attitude.

7.6 Other members take the view that the main issues for the authorities were the safety of such activities on the range and the suitability of the participants to possess firearms. If both of these points were satisfied, the authorities should have no concern about the costumes, design of targets and courses of fire involved. If the authorities were concerned, especially about the suitability of the people involved, then these should not be trusted to possess firearms in the first place.

7.7 The majority of members took a view midway between these two points of view. They acknowledged that the vast majority of participants in such activities wished merely to take part in challenging shooting sports. The responsible organisations in this field, such as the UKPSA, had taken steps to restrict and remove those elements of the sport that were considered either distasteful or unsafe. On this basis, most members felt it appropriate that the authorities should permit the use of firearms for these purposes.

7.8 On the other hand, members did not support or condone the more extreme aspects of practical shooting. In particular, scenario-based activities involving simulated bodyguard activities, 'house clearance' and firing from moving vehicles were considered both distasteful and potentially unsafe.

7.9 The recent appeal case of '*Lawrence v The Chief Constable of Merseyside*', heard at Liverpool Crown Court earlier this year, illustrates the main issues in some depth. The FCC would commend the text of this judgement, which is in the public domain, as setting out the main issues in this field and distinguishing between the different aspects of 'practical' shooting'.

CHAPTER 8

Self-loading .22 Rimfire rifles

8.1 The provisions of the Firearms (Amendment) Act 1988 that banned self-loading and pump-action rifles included an exemption for those rifles chambered for .22 rimfire ammunition. It was argued during the passage of the legislation that these were needed for vermin control. In more recent years, these have been adopted for target shooting.

8.2 Particular concerns have been expressed about those .22 rimfire self-loading rifles designed to look like military assault weapons such as the AK47 assault rifle and the Thompson sub-machine gun. Apart from their fearsome appearance, such weapons are sometimes equipped with large (50 or 100 round) magazines to achieve a high rate of fire without reloading. On this basis the FCC have sought to consider this area.

8.3 A majority of members, excepting the Gun Control Network, felt that the exemption for .22 rimfire self-loading rifles for vermin control was appropriate and should be retained. On this basis, a change to the law in this area was not required, and we would so *recommend*. A majority of members also had no objection to the use of these weapons in target shooting as such.

8.4 Turning to the issue of those .22 rimfire self-loading rifles intended to look like assault weapons, a majority of members expressed strong concern about such weapons. The circulation of such weapons was likely to bring the shooting community into disrepute and possibly attract those with an unhealthy interest in the destructive power of firearms.

8.5 It is noted that the NSRA 'light sporting rifle' target shooting competition requires neither a magazine capable of holding more than 10 shots nor a firearm with a military appearance. Setting aside Cadet and other military training with sub-calibre weapons, the main national shooting organisations had no requirement for weapons of a modern military appearance for civilian target shooting purposes. Some members of the Gun Trade Association have also expressed concerns about the sale of these weapons.

8.6 On the other hand, it is noted that the appearance of a firearm does not directly affect its capabilities. Many older service rifles used in 'classic' target shooting competitions, such as the Lee-Enfield .303 bolt-action rifle, were similar in appearance and capabilities to a modern bolt-action hunting rifle.

8.7 In the absence of fuller information on the prevalence and use of these weapons, the FCC does not feel able to reach a firm conclusion about these items. However, this is an issue that the FCC would wish to explore further in view of its concerns about these items.

CHAPTER 9

Muzzle-loading revolvers and Gallery Rifles

Muzzle-loading revolvers

9.1 The FCC first considered the issue of muzzle-loading revolvers in its Ninth Annual Report. The FCC committed itself to keep this issue under review, and during this year we have had an opportunity to look again at this issue some eighteen months on. We understand from the Muzzle-Loaders Association of Great Britain (MLAGB) that interest in these firearms has reached a plateau over the past year, with some 187 affiliated clubs and 2278 individual members as of August this year, rising from 70 and 2047 of these in September 1997.

9.2 No events have occurred to change the initial views of the FCC that changes to controls on these items are not needed. In particular, the FCC is not aware of any evidence of any increase in crimes being committed using such items, either using legally held or illegal examples. It is understood that some four crimes have been committed using such items in the past twenty years or so, none in recent years, which is minimal in comparison with most other types of firearms.

9.3 The FCC notes the concerns of ACPO(S) and the GCN that these items are potentially dangerous due to their small size and high rate of fire, and therefore ought to be banned, though police concerns have been met to some extent by restrictions on spare cylinders. Most members agreed that these are comparable to other types of firearms subject to section 1 of the 1968 Act, and there was no general support on the Committee for banning these items.

9.4 In particular, the FCC has sought in previous years to work on the Constitutional presumption that Parliament is assumed to understand its business. Therefore, it would not be proper of the FCC to suggest that Parliament permitted the use of muzzle-loading revolvers through a misunderstanding of the draft Bill, even if the practical aspects of this were in dispute.

9.5 The FCC would also note that the muzzle-loading revolver is a design from the early 19th century that reached its technical peak in the middle of the last century and its main military use was in the American Civil War. The police had been issuing authorities to hold weapons of this kind on certificate for many years prior to 1997 without incident. Even if there was any incentive to improve the efficiency of this class of weapons, it is doubtful if it is technically feasible to do so. On this basis, a majority of members would *recommend* that current controls should be maintained.

9.6 Concerns have been expressed about the possible use of spare, pre-loaded cylinders to achieve comparatively swift reloading and a higher rate of fire. In its last annual report, the FCC noted that there should be a rebuttable presumption that a spare cylinder for a muzzle-loading revolver is not required. We note that this presumption has been adopted by the police service and has generally served to limit the proliferation of these items. We therefore *recommend* that this presumption should be maintained.

Gallery Rifles

9.7 As with muzzle-loading revolvers, the FCC first considered the issue of gallery rifles in its Ninth Annual Report (1997-98). The FCC has returned to this issue in order to ensure that it is kept under review. From the information available, the FCC has no reason to change its initial views on this issue.

9.8 The National Rifle Association (NRA) has organised target shooting disciplines for gallery rifles that have run successfully and without incident over the past two and a half years. The National Small-Bore Rifle Association (NSRA) has organised a parallel set of shooting disciplines for .22 'light-weight sporting rifle'. We understand that clubs affiliated to the NRA including the Police Athletics Association (PAA) have adopted the gallery rifle for sporting purposes on much the same basis as the other shooting enthusiasts, as a rifle with a sufficiently low muzzle energy that it can be used safely on target ranges designed for pistols. As with muzzle -loading pistols, we understand that the initial interest in these items has reached a plateau, with an estimated 5000 shooting enthusiasts owning such rifles.

9.9 The FCC appreciates the concerns of ACPO(S) and the GCN that gallery rifles are generally shorter than other rifles and with a potentially high rate of fire, and that these organisations therefore favour a ban on these items. However, most 'small firearms' were prohibited in 1997 for this reason, and gallery rifles fall well outside the limits of 30 cm barrel and 60 cm overall length set by Parliament for such 'easily concealable' weapons. The technology of lever-action weapons with tubular magazines is a Victorian design, largely superseded by more modern designs this century. There has been no evidence to suggest that the growth in legitimate use of these weapons has been matched by any growth in their criminal misuse which has always been minimal with no serious recorded incidents in the last 20 years. On this basis, a majority of the FCC would *recommend* that the current level of controls on these items should be maintained.

CHAPTER 10

Inspection of registered firearms dealers and related issues

10.1 The FCC has had a long-standing commitment to review the controls on registered firearms dealers (RFDs), in particular, the inspection of dealers premises and registers by the police. A sub-group to work outside the FCC was set up to discuss this issue, including representatives of the police service and a cross-section of firearms dealers.

10.3 The Committee welcomes the guidance which we note is being issued by the police on the inspection of dealers premises and registers in consultation with the gun trade. We believe that this will assist the police in carrying out their work effectively and professionally in this area, taking into account the practical aspects of the firearms trade.

10.4 The Committee also welcomes the opportunity for the police and the trade to discuss how best they can co-operate in preventing firearms and ammunition falling into criminal hands. This includes both formal and informal contact between the police and individual dealers to pass on information about suspicious transactions, and the circulation by the Gun Trade Association (GTA) to its members of a list of stolen firearms and shotguns drawn from the Police National Computer.

CHAPTER 11

Referees and countersignatories

11.1 This is a complex area and it may be helpful to set out some of the background to these provisions. The Firearms Act 1920 was intended to prevent criminals and revolutionaries from obtaining firearms, including through adopting an assumed name. To prevent this, the Home Office included a provision from the legislation on passports to the effect that the application had to be countersigned by someone who was known to the authorities, and could vouch for the applicant's identity and, to a lesser extent, good character. This provision was carried through in the Firearms Act 1968, extended to shotguns in 1988, and replaced for *firearm* certificate applications with a system of referees in 1997.

Current Law and guidance

11.2 An application for a shotgun certificate must be countersigned by a person who is not a member of the applicant's family or a registered firearms dealer and:

- is resident in Great Britain;
- has known the applicant personally for two years; and
- is a Member of Parliament, Justice of the Peace, minister of religion, doctor, lawyer, established civil servant, bank officer or person of similar standing.

11.3 The Home Office have advised that 'person of similar standing' might include people whose names might be found in a public book of reference (such as architects, accountants and surveyors), people who hold or have held a regular commission in Her Majesty's armed forces or who are qualified teachers in recognised schools. The applicant's employer may also be included if it is an established business and the applicant is well known to him.

11.4 The countersignatory must sign to confirm that to the best of his knowledge and belief the information given on the applicant form is true, and that he knows of no reason why the applicant should not be permitted to possess a shotgun.

11.5 Following the changes in 1997, a referee for a firearm certificate application must not be a member of the applicant's family, a registered firearms dealer or a serving police officer or police employee, and must be resident in Great Britain, have known the applicant personally for two years, and be of good standing.

Current Concerns

11.6 ACPO and ACPO(S) have raised a number of concerns about the present system. These include the replacement of the countersignatory system for shotguns by the system of referees, and better provision of information by referees about the applicant.

11.7 The FCC acknowledges that the new reference system should be of value to the police in dealing with applications. Without prejudice to the responsibilities of the chief officer of police for

licensing decisions, it is helpful for the police to receive the advice of those who know the applicant well and can vouch for his good character and trustworthiness.

11.8 It has not been possible to explore this issue in any depth, and the FCC does not make any recommendations, other than that this issue should be explored further. In particular, there has been little opportunity for the system of referees to bed down and it may be helpful to see how successful this is in practice.

11.9 In previous years the FCC has expressed concerns about the effectiveness of the provisions on countersignatories. If the system of referees proves to be more effective then there would be a strong case for implementing this for shotgun certificates as well as for firearm certificates.

CHAPTER 12

Antique Firearms

12.1 The Firearms Consultative Committee looked at this issue in 1992, and their advice was adopted by the Home Office and issued as guidance to the police. The guidance rested on the premise that firearms might be regarded as 'antique' if they were old (pre Second World War) guns that were muzzle-loaders, had an obsolete ignition system (such as pin-fire or needle-fire) or were chambered for obsolete cartridges and could not fire modern (late 20th century) ammunition. In 1999 the FCC decided to look again at this issue, and set up a small sub-group to consider this in detail.

Law and historical development

12.2 The statute law on 'antique' firearms is of long standing and has not been without controversy. As this is a complex issue, it may be helpful to set out some of the background to the subject before setting out the recommendations of the sub-group. Section 58(2) of the Firearms Act 1968 provides that:

'Nothing in this Act relating to firearms shall apply to an antique firearm which is sold, transferred, purchased, acquired or possessed as a curiosity or ornament'.

12.3 This provision originated from the abbreviation of the definition taken from the 1903 Pistols Act which was used in the Firearms Act 1920. At that time the issue of 'antique' status was probably not significant. There was a clear division between the muskets, blunderbusses and duelling pistols of the black-powder era and the bolt-action rifles, machine guns, breech-loading revolvers and shotguns of the modern era, as there was between the stagecoach and the motor car. Whether the test of 'antique' status was old-fashioned, of archaic design, 100 years old, or even an item manufactured before the Victorian era of mass production, the practical results were much the same.

12.4 Over the years, the past has caught up with this decision. The technical revolutions of Queen Victoria's era have not been matched by the 20th century in the development of small arms, and the result is that from the 1860s onwards, guns of 'modern' design have been available. Many of these are well made and still in good working order. The Forensic Science Service has confirmed that vintage 12 bore hammer shotguns of this era have been sawn down and used in crime, and vintage revolvers have also been so used. It seems that this issue will become more rather than less controversial over time, as the earlier models of self-loading pistols and machine guns pass the '100 year mark'.

Principles

12.5 The FCC agreed that the principle of an exemption for older guns was good, providing that these did not pose any real threat to public safety. Since 1920 the exemption had generally freed the authorities from much pointless licensing work and allowed for the free collection, study and trade of items of historical importance.

12.6 On the other hand, it was agreed that the exemption for ‘antiques’ should not permit people to freely obtain firearms of a type that were commonly used in crime or might otherwise be particularly dangerous. The protection of public safety remained the priority of the FCC in this respect. The provisions of section 7 of the 1997 Act in relation to historic handguns meant that most vintage hand guns could be preserved on certificate by genuine collectors.

12.7 The guidance already issued by the Home Office was considered to be useful in principle, in as far as it offered all parties a degree of certainty as to what was considered an ‘antique’. Even so, the term ‘antique’ was open to interpretation independent of any guidance or consensus and might encourage approaches to classification more appropriate to furniture or porcelain than firearms. A more neutral term might be more useful if the law in this area was ever revised. However, the term ‘antique’ did allow for the courts to properly consider cases as a whole and apply a ‘common-sense’ approach to antiques, although in some recent instances the courts had chosen to reject without further consideration the advice given by the Home Office and the FCC in respect of antique firearms, heritage arms and aspects of public safety.

12.8 The FCC considered the possibility of adopting a new approach to guidance on antique firearms, for example on the basis of age. While this had some attractions, and it was agreed that ‘antique’ firearms should be genuinely old, there was no consensus on a simple way forward. On this basis, the FCC felt that the existing Home Office guidance with lists of ‘obsolete calibres’ remained the most satisfactory approach to this issue, and *recommends* that this should remain the basis of guidance on this subject. It would be helpful if this was reviewed at regular intervals, perhaps every three years.

Classes of firearms to be exempted

12.9 The FCC looked again at the main classes of firearm that were considered to be ‘antiques’ under the current guidance, and those to which the exemption might be extended. The sub-group’s conclusions were as follows:

- Muzzle-loading guns, including muzzle-loading revolvers. The use of such weapons in crime this century had been minimal, and even then generally not fired. Early originals could safely remain classed as ‘antiques’;
- Breech-loading guns with obsolete ignition systems, such as pin-fire and needle-fire guns. These should also remain exempt on the same basis;
- Rifles in calibres declared obsolete, such as the Snider and the Martini-Henry. In view of the rarity of rifles being used in crime, this category could be extended to include other black-powder and some additional early smokeless powder cartridges;

- Early and experimental smokeless powder pistols. This class might extend from vintage revolvers through the rare Gabbett-Fairfax to the 8mm Japanese Nambu of World War Two vintage. This category was considered controversial in principle, and it was unlikely that the Home Office and the police, or wider public perception, would be willing to accept revolvers and self-loading pistols from up to the end of the Second World War as ‘antiques’. It was agreed that these should remain within the licensing system and (where appropriate) the provisions of section 7 of the 1997 Act, though exceptional cases might be considered for antique status;
- Early automatic weapons, in particular machine guns and aircraft cannon of the First and Second World War era. Despite their cumbersome nature, it was felt that on the same basis as pistols above these should remain subject to controls. A case might be made out in exceptional circumstances for some pre-First World War machine guns chambering obsolete rifle calibres;
- Older shotguns. In drawing up the list of obsolete calibres in 1992, the FCC had decided to err on the side of caution in keeping all shotgun calibres within certificate controls. It was agreed that 4 and 8 bore shotguns had not been used in crime in recent years and might safely be exempted, as might 10 bore (except for those capable of taking 3.5 inch magnum and similar cartridges). In view of their use in crime in sawn-off form, it was agreed that shotguns of common bore size such as 12 and 20 bore, should remain subject to certificate controls.

12.10 Within these principles, a list of additional calibres were drawn up that might be added to the list of obsolete calibres adopted in 1992. This is included at **Annex E**.

Other matters

12.11 The Committee considered whether ‘antique’ rifles might be fired occasionally without compromising their status as a ‘curiosity or ornament’. It was questionable whether the law allowed this at present. In practice, the police were willing to allow older rifles on certificate to be fired occasionally without requiring them to be used regularly for target shooting. On this basis, the sub-group did not favour any change in the law that would allow rifles exempted under section 58(2) to be fired under the terms of that exemption. However, the police should continue to take a sympathetic approach to owners of such rifles who wished to fire these occasionally being able to do so whilst holding them on certificate. Older breech-loading pistols that the owner wished to fire occasionally would fall within section 7(3) of the 1997 Act.

12.12 Regular use of older weapons, for example in historical re-enactment, should certainly remain subject to certificate controls. Some Victorian-era re-enactment groups using Snider and Martini-Henry rifles had been permitted by some police forces to blank-fire their guns without holding them upon certificate, but most police forces did not permit this, nor do we think they should do so.

12.13 The Committee considered whether reproductions of older guns might be considered ‘antiques’ and removed from controls, as was the case in many European countries. This proposal was rejected: apart from the logical contradiction of a ‘modern antique’, it was felt that removal of controls from these weapons would result in a considerable growth in their possession (and misuse). The Committee therefore *recommends* that modern reproductions of older guns should continue to be subject to control.

12.14 The FCC *recommends* that the issue of import and export of antique guns should be considered by a further group, perhaps independently of the FCC, but including HM Customs and the Department of Trade and Industry. The sub-group remained of the view that the obsolete calibres list remained the best approach for the DTI and others to adopt rather than the application of a particular cut-off date. However, the Home Office has confirmed that at present these departments intended to retain their own test of antiquity. In practice this did not appear to present serious problems to the trade in antique guns.

12.15 During the implementation of the 1997 Acts, a Reference Panel was established to deal with queries about firearms of historic interest. The Committee *recommends* that such a panel should be set up to assist with queries about allegedly ‘antique’ guns. While the panel would have no statutory powers, and individuals and the police would be free to take the matter to the courts, it would be helpful to bring to bear the advice of experts in the field and to identify those issues in dispute.

12.16 The Committee noted that in some cases, certificates of unprovability issued by the Proof Houses had been put forward as evidence that a gun was obsolete and therefore ‘antique’. In fact, there was no exemption for ‘antique’ firearms in the Proof Acts. These certificates were issued to show that the gun either was a valuable ‘museum piece’ likely to be damaged by using powerful proof ammunition, or that such proof ammunition was not available. It did not show that the gun was unusable with ordinary service ammunition, or should be treated as an exempt antique under the Firearms Acts. While this problem was *not* a fault of the Proof Houses, it would be helpful if the police and other interested parties were made aware of and noted the meaning and importance of such certificates, and the Committee so *recommends*.

12.17 While it is beyond the remit of the FCC to respond directly to the recent EU questionnaire on firearms matters, the Committee *recommends* that the Home Office seek to encourage the harmonisation of the approach to older and antique firearms across the EU. Most countries had quite distinctive systems for dealing with these matters, and older guns often changed status as they moved between or through different countries.

CHAPTER 13

Component parts of firearms

13.1 Section 57 of the Firearms Act 1968 provides that the term 'firearm' shall include any 'component part' of such a firearm. Apart from anything else, this provision is designed to prevent criminals from disassembling their guns and then claiming that they did not have a 'firearm' for legal purposes.

13.2 The lack of a firm definition of a 'component part' has been a problem both for the authorities and the shooting community. In 1997 the FCC set up a small working group to look at this issue, the report of which formed Annex C of the FCC's Ninth Annual Report. Following concerns from the trade about the measures proposed, the FCC decided to look again at this issue, and a sub-group was set up. The FCC adopted the report of the sub-group with some reservations.

Practical Issues

13.3 The main interest of the Government in this area is to protect public safety and to prevent unsuitable characters from being able to assemble working firearms. In this respect, practical obstacles to the acquisition of such items and means for the authorities to detect any abuse of these would be desirable. It was noted that those concerned in the criminal re-activation of firearms had obtained small components for these from the United States through mail order.

13.4 However, there was a serious danger that attempts to control even the most minor of components would lead to pointless bureaucracy. As well as being time-consuming and costly for all parties to implement, over-complex provisions might lead to confusion and thus be counter-productive.

13.5 Both gun owners and the authorities wanted a clear definition of component parts that was readily understood. Without this there was a risk both of over-zealous enforcement on the one hand, and an inability of the prosecution and the courts to proceed with any certainty against criminal re-activators on the other.

13.6 Many dealers and certificate holders owned many small parts that were neither recorded or numbered. In the case of defence manufacturers this might number millions of items. Any attempt to record all of these by the police or the owner would be a difficult and substantial task, and there was a risk of owners unwittingly overlooking small parts and falling foul of the law.

13.7 At present, members of the Defence Manufacturers Association (DMA) were obliged to contract out work on finishing parts of firearms. DMA companies were strict on the security and recording of these items for commercial as well as legal reasons. If these were considered to be subject to control either under Section 1 or section 5 of the 1968 Act, then sub-contractors would be likely to reject such work rather than face the trouble of licensing and security. An enforcement of the FCC position would thus cause substantial harm to the UK defence industry.

When does an item become a component part?

13.8 The group considered at what stage of the manufacturing process an item became a component part. On the one hand, rifled barrel blanks were not considered component parts until they had been chambered or threaded for use as barrels. On the other hand, the finishing of machine gun components for resilience did not prevent machined but unfinished parts from being pressed into use in an unfinished state in a gun that could then be fired effectively, albeit perhaps unreliably. If usable in a section 1 firearm it would be subject to section 1 controls, if for use in certain prohibited weapons it would fall within section 5 of the 1968 Act.

13.9 The group considered that any component part, however defined, should only be treated as such once it was 'capable of being fitted into a firearm and fired'. In practice, the FSS would tend to assess sets of alleged component parts by seeking to assemble them into a working firearm. However, some items handled by the DMA, for example the bolt of the General Purpose Machine Gun, were finished by sub-contractors at a stage when they were already usable in the weapon and would not therefore benefit from this qualification.

What items should be considered 'component parts'?

Major components

13.10 The group agreed in general the definition in paragraph 6 of the FCC sub-group's 1998 report might be usefully adopted as follows:

'The term 'component part' shall apply to (i) any barrel, chamber or cylinder: (ii) any frame, action, body or receiver: (iii) any breech, block, bolt, or other mechanism for containing the charge at the rear of the chamber: (iv) any other part of the firearm upon which the pressure caused by firing the weapon impinges directly

13.11 This matched the long-standing view that component parts should be 'pressure bearing parts', and a similar principle had been adopted by the EU Directive on this issue. It also reflected the fact that those items were already routinely recorded on a firearm certificate or in a dealer's register. Even if no further agreement between interested parties was possible, this would represent an acceptable way forward. The possession of the more substantial components would also form the basis of a charge of unlawful possession against a wrongdoer; it was questionable as to whether the status of related smaller parts needed to be proved in such cases. It was noted, however, that the adoption of this definition would be a substantial change from the current working definition used by the Home Office and upheld by the courts.

13.12 Beyond this, it was open to debate as to which items were currently considered component parts in law. Some prosecutions had concentrated on the main components, others had relied on the premise that most parts, with the possible exception of very minor parts such as pins, were 'components' for legal purposes.

Small components

13.13 Although it was always possible to fabricate minor parts from scratch, it was a matter of record that batches of smaller component parts had been acquired by criminals from time to time to re-activate firearms previously de-activated to the Home Office standards. It was for this reason that the Home Office standards were tightened in 1995 to ensure that in the case of portable automatic firearms such parts were welded into the frame of the gun to prevent their re-use. The extent to which the availability of ready-made small parts was a significant problem which was likely to grow was less easy to determine.

13.14 The group agreed that such items were difficult to control because they were not subject to recording. If a dealer did choose to sell such an item to an unsuitable character, then it would be difficult to prove that this had happened. It was argued that a provision whereby small components should only be sold on the production of the relevant certificate should be introduced, similar to the current provisions on the sale of shotgun ammunition.

13.15 Some members felt that while this was sensible best practice it was worthless as enforceable law. The offence could not be detected or proved in most cases. The wrongdoing of the dealer in selling an innocuous-seeming part was not the main mischief, but the buyer gathering a collection of different parts.

13.16 Others felt that it would be a useful declaratory offence that might be enforced by test cases similar to the current enforcement on the sale of alcohol and cigarettes to children. There would be presentational difficulties in allowing what were agreed to be parts of firearms and prohibited weapons to be freely available. Such a measure might also provide a peg on which the police could hang an investigation of a person found in possession of such items in suspicious circumstances. Evidence of repeated sales of small parts to unsuitable people might properly call the trustworthiness of a dealer into question. However, tracing such items often formed part of the intelligence picture that led to the investigation of more substantial offences, rather than the main offence of the case. The crimes of conspiracy and attempt might be committed in respect of such cases.

13.17 The FCC looked again at the list of small components in its Ninth Annual Report. This had been subject to some misunderstanding, the intention being that they should be regarded in essence as sub-components and sold only, as a matter of best practice, to certificate holders. Items 7 to 12 might best be described under the general term of 'parts unique to section 5(1)(a) weapons'. In practice, the Forensic Science Service (FSS) tended to class component parts in terms of the lowest legal category that they could reasonably occupy. This might present problems in classification in the case of hammers that might be part of an antique firearm, or parts that might be intended for a blank firing replica, and the

FSS would seek to investigate such points in criminal casework. The Committee commended the FSS approach that items should be generally regarded as their lowest likely classification in law.

Prohibited weapons and sub-contractors

13.18 At present, component parts of shotguns were not subject to controls, and the police could issue a notice of exemption under section 41 of the 1968 Act to a person whose business never involved possessing enough components to assemble a whole shotgun. It was arguable that a similar system might be applied in due course to sub-contractors handling a limited range of such parts of prohibited weapons. The police could vet such sub-contractors, though it was arguable that as with carriers and warehousemen, unsuitable characters may seek to become involved in the trade if controls were too lax. The Home Office should also look closely at section 5 authorities to see if they could be worded in such a way as to allow sub-contractors to process certain parts under the manufacturer's authority.

Component parts of shotguns

13.19 The group considered whether component parts of shotguns should be subject to controls. On the one hand, it was accepted that this was anomalous to the general controls on component parts. On the other hand, the evidence of a practical problem on this point was unclear and warranted further consideration, and the Committee *so recommends*.

Conclusions

13.20 The sub group agreed that the definition set out in paragraph 13.10 above should be the definition of component parts for firearms, and *so recommends*. This represents both a consensus and a practical measure for both dealers and prosecution authorities. It was unlikely that anyone would be found in unwitting possession of such substantial parts.

13.21 Beyond this, the sub-group agreed that there were problems as to what smaller components might be included for the reasons set out above. It was accepted that there was no simple way of accommodating the interests of all parties on this point. Those parts that would excite no concern if handled by legitimate businesses would be a potentially grave problem in criminal hands. The Committee therefore *recommends* that these items should be treated as 'sub-components'. These would not form a proper component of a firearm as such, and not subject to a need to vary a firearm certificate to acquire such or recording on certificate or in dealers registers.

13.22 On balance, the Committee agreed that it would be helpful if sub-component parts were only sold on production of a certificate pertaining to the type of firearms concerned and by a vendor holding a similar authority. While this was not a certain way of preventing unsuitable people from obtaining such, it placed a further obstacle in the way of those with no good reason to obtain such items. This should be a matter of 'best practice' for dealers, and the idea of incorporating it into legislation should be considered further if a legislative opportunity arose. The Committee therefore *recommends* that this be adopted.

13.23 The Committee *recommends* that an exemption be introduced for contractors handling a limited range of components and sub-components of firearms. This would be similar to the exemption in section 41 of the 1968 Act for those handling a limited range of parts of shotguns. The Home Office should also take forward the idea that the Secretary of State's authority to a company to possess prohibited weapons might include authority for contractors to handle particular component parts as agents, and the Committee so *recommends*.

CHAPTER 14

Home Department approved Clubs

14.1 The Home Office and Scottish Office are responsible for approving target shooting clubs under Section 15 of Firearms (Amendment) Act 1988. Club approval confers the advantage that club members may possess firearms and ammunition without holding an individual firearm certificate for these, allowing members to shoot with weapons borrowed from each other or from the club. Section 44 of the 1997 Act requires those firearm certificate holders who hold a rifle or muzzle-loading pistol for target shooting to be a member of at least one Home Department approved club.

14.2 The FCC notes that the Home Office organised a small working group including police officers and members of the main target shooting organisations to review the club criteria this year, including the police and the main target shooting organisations. This sought to revise the club criteria to clarify the duties of clubs. In particular, shooters would be required to nominate a 'primary club' that would be responsible for submitting annual returns as to their non-attendance, rather than all such clubs doing so. This would fulfil Lord Cullen's recommendation while reducing bureaucracy.

14.3 The FCC welcomes the proposed publication of the revised criteria. Subject to the comments in the next chapter, the FCC has not been able to explore the wider issue of the role and organisation of approved target shooting clubs, and would wish to return to this in due course.

CHAPTER 15

Other issues

Disclosure of Criminal Convictions

15.1 At present, a club approved by the Home Departments must notify the police of the details of any probationary members, so that the police can check them against their own records. However, if the police discover that the probationary member may be unfitted or even prohibited to possess firearms through having a criminal record, there is no mechanism for the police to warn the club of this. If the police do disclose such information to club officials, they may be in breach of the Data Protection Act. The FCC is aware that complaints have been lodged against firearms licensing officers who have sought to disclose such information, even though it may clearly be in the public interest to do so.

15.2 The FCC, including both the shooting organisations and the police, considers that this situation is deeply unsatisfactory to all parties, and is likely to endanger public safety. We recommend as a matter of urgency that there should be a clear statutory exemption included in the Data Protection Act for such disclosures.

Small firearms for the humane killing of animals

15.3 The FCC considered the use of small firearms for the humane killing of animals as part of its Ninth Annual Report, and suggested that further work was needed to draw up guidance on this issue.

15.4 The FCC notes that ACPO have sought to issue guidance on the use of small firearms for the humane killing of animals, in particular the types of firearm considered suitable for this purpose. The Committee fully understands the concerns of the police and the Home Departments that, in the context of a wider ban on handguns, this exemption should not be abused by those with no real need to possess such items.

15.5 On the other hand, such firearms are vital working tools for many people, such as vets, knackermen, and hunt servants amongst others, and it is proper that these should be allowed the tools appropriate to their work. It is also appropriate that the type of weapons authorised should be neither excessively powerful nor not powerful enough to kill animals cleanly and humanely.

15.6 The FCC welcomes the opportunity to comment on the draft guidance, and the wider consultation carried out by ACPO with those involved in the humane destruction of animals. In particular, the FCC notes that the single shot .32 pistol is recommended for most purposes, but the guidance suggests flexibility in dealing with cases where a more powerful weapon might be needed to kill larger animals humanely.

Historic Firearms: Designated Sites under Section 7(3) of the Firearms (Amendment) Act 1997

15.7 In its Ninth Annual Report, the FCC considered the exemption under section 7(3) for small firearms of particular rarity, aesthetic quality, technical interest or historical importance to be kept and used at a site designated for this purpose by the Secretary of State. The FCC notes that apart from the first site to be designated, at Bisley Camp in

Surrey, further sites have now been designated at Brancepeth Castle, County Durham, and at the Marylebone Rifle and Pistol Club, City of London. A further site at the South West Shooting Centre in Cornwall was designated but closed down earlier this year for business reasons. The FCC has not had an opportunity to consider this issue in any depth.

Miniature Rifle Ranges

15.8 Section 11(4) of the Firearms Act 1968 provides that a person conducting or carrying on a miniature rifle range (whether for a rifle club or otherwise) or shooting gallery at which no firearms are used other than air weapons or miniature rifles not exceeding .23 inch calibre may, without holding a certificate, have in his possession, or purchase or acquire, such miniature rifles and ammunition suitable therefor; and that any person may, without holding a certificate, use any such rifle and ammunition at such a range or gallery.

15.9 Traditionally, this exemption has been used by proprietors of fairground side-shows under the auspices of the Showman's Guild, and by schools and colleges under the auspices of the NSRA. Ranges have also been affiliated to shooting clubs and small tunnel ranges to some public houses. All of these have generally operated without incident.

15.10 However, the police have noted with concern that miniature rifle ranges have been set up by characters who have either had a firearm certificate revoked or are considered unsuitable to possess firearms. The police have expressed concerns that they have no licensing controls over such ranges and no sanctions against people who they do not consider fitted to operate such a range or gallery. The lack of a detailed definition of 'miniature rifle' might allow individuals to obtain self-loading .22 rimfire rifles or .22 centrefire rifles under this exemption, along with ammunition for these. The advice of the Forensic Science Service is that miniature rifles should properly be defined as .22 rimfire rifles not exceeding .22 Long Rifle cartridge in performance, and the FCC would support this definition.

15.11 The FCC has not had an opportunity to explore this issue fully, and therefore does not make any recommendation on this issue. However, we fully understand the police concerns about this issue, and believe that it should be explored further.

15.12 We note that the NSRA does not sell self-loading rifles or centrefire rifles to any miniature rifle ranges, nor any firearms or ammunition to those ranges not affiliated to it. In the absence of any opportunity for primary legislation, we commend the voluntary restrictions placed on the operation of this exemption, though acknowledging that these can be circumvented.

Compensation for prohibited handguns and ancillary equipment

15.13 The FCC welcomes the information provided by the Home Office on the ongoing work of paying compensation in relation to handguns and ancillary equipment prohibited under the 1997 Acts.

There is little that the FCC can add to its comments in the Ninth Annual Report, other than to note the concerns of the shooting community over the time taken to complete this exercise.

Pump-Action Full-Bore Rifles

15.14 It has been suggested to the FCC that the ban on pump-action (as opposed to self-loading) rifles under section 5(1)(ab) of the Firearms Act 1968 is unnecessary and should be repealed. The FCC does not accept this suggestion and does not recommend any change in the law in this area.

Sound Moderators

15.15 In its last Annual Report, the Committee considered the use of sound moderators for rifles. While some items of this kind are often referred to as 'silencers', in practice these are intended to reduce rather than remove the noise of the gunshot. While sound moderators for .22 rimfire rifles were fairly common, the FCC wished to consider the less common silencers for centrefire rifles. We are grateful to Mr Harriman for providing a demonstration of the use of these items at our meeting at Bisley Camp.

15.15 The FCC considered in its last Annual Report that the case for the wider use of these items had not been made out. There may be circumstances where the noise of shooting might need to be limited, for example in the culling of deer in urban parks which usually took place in the early morning and should be carried out without disturbance to neighbours.

15.16 Beyond this, it was questionable how effective sound moderators were for reducing disturbances to wildlife. Such items were also attractive to poachers, and the FCC were cautious about encouraging the unnecessary proliferation of these items.

15.17 The FCC looked again at this issue as part of its work programme for this year, and considered that their broad conclusions were valid. While there was a reasonable body of expert opinion both in favour of and against the use of these items, on balance the FCC concluded that sound moderators were not needed for centre-fire rifles for most hunting and vermin control purposes. The Committee therefore *recommends* that there should be no change to controls in this area.

Expanding Ammunition

15.18 The FCC considered the issue of expanding ammunition in its Eighth and Ninth Annual Reports. The FCC has received no evidence to alter its views on the continuing problems created by the ban on expanding ammunition and continues to question whether this ban serves a useful purpose. The FCC acknowledges that it is unusual for it to press for the repeal of recent primary legislation, but believes that such a recommendation is warranted.

15.19 In view of the understandable public concerns about the misuse of expanding ammunition, it is proper for us to set out our reasoning

behind this position. Expanding ammunition is designed to expand when hitting the target thus facilitating the transfer of energy and, in some circumstances, reducing the likelihood of over-penetration, where the exiting bullet may retain sufficient energy to pose an unintended collateral hazard. This is likely to cause a more serious or consistently fatal injury than a non-expanding round when hitting a person or animal, and concerns have therefore been expressed about its scope for misuse.

15.20 However, the propensity to do greater damage than non-expanding rounds means that expanding ammunition is preferred for the hunting and humane killing of animals. The Deer Acts require that expanding ammunition is used to hunt deer, and it is commonly used by veterinary surgeons and others involved in the humane destruction of animals. These uses are exempted for certificate holders, as is the possession of expanding ammunition by firearms dealers. Expanding missiles are also more likely to fragment upon impact with a hard surface than their non-expanding counterparts, and until the ban in 1997 was also used by many target shooters in the interests of range safety. Heavy calibre expanding bullets designed for big game are unlikely to expand on more lightly-built species, so pose no greater a hazard to the public than do solid, non-expanding bullets of the same calibre, which are not subject to prohibition.

15.21 The ban has therefore created the anomalous situation whereby many shooters have a lawful need for expanding ammunition, but the controls on this are bureaucratic and make it difficult to obtain a reliable supply of this. In particular, the Secretary of State's authority is needed for a carrier to transport expanding ammunition or expanding missiles for reloading, making it difficult and expensive to obtain in rural areas. This may make it difficult for those who need expanding ammunition to kill animals humanely to obtain this, with the attendant risk of unnecessary suffering to animals.

15.22 The effectiveness of expanding as opposed to non-expanding ammunition in crime is questionable. Lord Cullen's Report into the Dunblane tragedy did not suggest that expanding (as opposed to non-expanding) ammunition played a significant role in the shootings and the resulting fatalities, and did not recommend any further controls be placed on it. The FCC is not aware of any evidence that expanding ammunition has played a significant role in crime in the UK or elsewhere. Any person intent on using such for criminal purposes could convert ordinary ammunition to this purpose.

15.23 The FCC would note that conventional bullets, not attached to a round of ammunition, are not subject to any controls, while their expanding counterparts are prohibited. This has led to the anomalous situation where key rings and display boards using inert cartridges have been effectively raised from uncontrolled to potentially prohibited status.

15.24 The FCC also notes the understanding of the Home Office that the current provisions on expanding ammunition do not permit the police to issue a firearm certificate in relation to expanding ammunition for use for big game and other game hunting abroad. This has caused disagreements between the authorities and both hunters based in the UK and the London gun trade, who have a world-wide reputation for producing high-quality double rifles and big game ammunition. This is another matter on which the ban on expanding ammunition has had effects not considered at the time of its adoption.

15.25 On this basis, the FCC remains of the view that the ban on expanding ammunition which might be used in rifles makes no apparent contribution to public safety, while adding needlessly to the administrative and practical burdens on both the shooting community and the police. The FCC, with the exception of the GCN, would therefore strongly recommend that the ban on expanding ammunition should be reviewed and if thought appropriate, repealed.

**Fittedness to Possess
Firearms**

15.26 In his report into the Dunblane tragedy, Lord Cullen recommended that the Home Office should issue guidance to the police on the issue of whether an applicant was ‘fitted’ to possess firearms. The Home Office drafted such guidance earlier this year and circulated it to the FCC for comments.

15.27 In general, the FCC welcomes the issuing of this guidance, and regards this issue as central to the licensing process. Perhaps the main issue in protecting the public from the misuse of legally held firearms is the suitability of the people possessing these to do so. Given the scope for subjective judgements in this area, the FCC appreciates that the Home Office paper provides helpful and considered guidance.

**‘Good Reason’ to possess
firearms and ammunition**

15.28 The FCC notes the circulation of a paper by ACPO on the issue of ‘good reason’ to possess firearms and ammunition. This is intended to serve as a condensed guide to firearms licensing staff as to what kinds of ‘good reasons’ might be considered routine and within the normal area of firearms possession in Great Britain, rather than an absolute statement of what will and will not be considered a ‘good reason’.

15.29 This is a complex area, and to set out the arguments for and against the use of various types of firearms for different purposes would require a review of the whole issue of the use of firearms in the UK. The FCC would agree that such guidance may be useful, and may assist the police in dealing with applications and in making clear the mutual understanding of the police and the shooting community about what is legitimate and what is not.

15.30 The draft guidance, however, presents three main problems. The first is that in seeking to establish what is ‘normal’, the guidance will

tend to exclude what is more unusual but reasonable. It might be argued that those staff whose knowledge and experience is such that they would benefit from guidance might be most prone to regard it as firm policy and not be inclined to depart from it.

15.31 The second problem is that shooters have generally been allowed a fair measure of discretion in choosing calibre and type of firearm for particular purposes, for example deer control. This allows the shooting community to develop better means of carrying out shooting activities. By setting limits on this, the guidance would reduce the scope for shooters to experiment, wholly lawfully and safely, with different types of firearms. There is a risk of shooting activities and types of firearms used ossifying in future years and any innovation being stifled.

15.32 The third problem is that the guidance is condensed to a considerable extent. It simply sets out the routine reasons for possessing firearms, without seeking to address those that are more unusual but acceptable. There is an risk that any unusual reason for wishing to possess particular types of firearms and ammunition will be regarded as outside the scope of the guidance and therefore unacceptable.

Secure Storage

15.33 The passage of the 1997 Acts and the exemptions for handguns from prohibition in certain circumstances raised the issue of the secure storage of firearms on domestic and other premises. The FCC recommended that guidance be issued on both the storage of handguns and the wider issue of secure storage. The present guidance issued by the Home Office was some seven years old and might usefully be updated. A sub-group chaired by Mr Barrett of the Home Office was set up to consider this issue.

15.34 Work on this is ongoing, but the FCC welcomes the opportunity to comment on these provisions. In particular, the FCC notes that it may not always be possible to reconcile the needs of flexibility in dealing with each case and achieving consistency in practice within and between forces. While the FCC would suggest that a proper balance should be struck, it would accept that guidance will and should favour consistent best practice.

Certificate Conditions

15.35 Concerns have been brought to the attention of the FCC about the terms of conditions attached to firearm certificates in relation to target shooting, and potential restrictions placed on shooting activities other than at the shooter's regular club. The FCC understands that this particular dispute has been resolved amicably, but we note the risk of conditions placing unintentional restrictions on shooters and would welcome the opportunity to review the issue of certificate conditions in due course.

Range Safety

15.36 Following amendments to the Ministry of Defence (MOD) regulations on range safety, the FCC recommended that a sub-group be established to discuss the impact of these changes on the roles and

responsibilities of the various parties involved. The sub-group was chaired by Mr Ewing, and included representatives of the police, the MOD and the shooting community.

15.37 The work of this sub-group is ongoing, with a view to the various organisations involved being able to issue advice to their members on their responsibilities. In general, these rest with the range operator and with the individual shooter rather than the authorities. The FCC notes the concerns of the Gun Control Network that the Health and Safety Executive have not generally sought to get involved in range safety issues.

15.38 The FCC also notes the wider concern about the potential impact of the Human Rights Act on issues of liability for public safety, in particular when public bodies such as the police authorise activities that result in injury to the public. This is a new area of law and the FCC would wish to explore this further in due course.

Game Licences

15.39 While not part of the Firearms Acts, the issuing of game licenses under the Game Act 1831 is a matter of concern to many game shooters. When firearms fees were last reviewed in 1995, the Government announced an intention to abolish the requirement to obtain a licence to hunt game. This was held to be ineffective as either a control against poaching or as revenue-raising measure. Many shooters may not have sought to obtain licences on the understanding that the game licence had been abandoned, and many post offices do not stock them for much the same reason.

15.40 On the basis that the game licence provisions are neither generally enforced or even recognised in many cases, the FCC would wish to express its disappointment that the Government has not carried forward its commitment to abolish the game licence. We *recommend* that the Government reconsider its position on this issue.

CHAPTER 16

Summary of Recommendations

16.1 As in previous years, we include here a summary of the FCC's recommendations. In view of the considerable discussion and frequent disagreements on these issues over the working year and the differences of opinion arising, we would refer the reader to the chapters concerned for further details of our discussions. Many of these are majority rather than consensus decisions

16.2 The FCC would recommend that the Government adopts the FCC proposals for a research project into the origins and history of firearms recovered by the police. [Para 1.14]

16.3 A majority of FCC members would favour the retention of the FCC in broadly its current form and membership [Para. 1.25]

16.4 The FCC do not recommend any changes to the provisions on power levels of air weapons not subject to licensing as such [Para. 2.3]

16.5 The FCC, with the exception of the GCN, do not favour bringing low-powered air weapons within the licensing system [Para 2.4].

16.6 The idea of an 'amnesty' or hand-in of unwanted air weapons should be explored further [Para 2.4].

16.7 The police and prosecuting authorities may wish to re-consider their policies in relation to the enforcement of the law on air weapons, in particular in respect to their misuse by young people [Para 2.7]

16.8 The law relating to low-powered cartridge firearms should *not* be amended to treat these in the same manner as air weapons [Para 2.8]

16.9 The Premium Rate Association (PRA) should adopt a code of conduct in relation to the sale of restricted items, including low-powered air weapons, to young people [Para 2.9].

16.10 With the exception of the GCN, the FCC recommend that young people should be allowed in principle to possess firearms under appropriate controls [Para 3.2]

16.11 The FCC are divided on the issue of appropriate controls on young people possessing firearms, but recommend that the Government should consider the matter further in the light of the FCC's discussions [Para 3.6].

16.12 The Home Office should draw up a revised, strengthened specification for the deactivation of handguns, including an alternative specification allowing for moving parts [Para. 4.14].

16.13 The Home Office should encourage other European Union countries to adopt a common standard for the deactivation of firearms, based on the UK standards [Para 4.14].

- 16.14** Primary legislation should provide that future deactivations must be to the current standards and certified accordingly by the Proof Houses [Para 4.14].
- 16.15** The Proof Houses should only provide replacement deactivation certificates for guns deactivated to the current standards [Para 4.14].
- 16.16** The police should liaise closely with the Proof Houses when investigating cases of suspected diversion of supposedly deactivated firearms to the illegal market [Para 4.14]
- 16.17** The Home Office should consider buying on the open market those types of deactivated firearms regarded as a particular problem [Para 4.14]
- 16.18** The police should liaise with the Forensic Science Service and the gun trade to restrict the sale of those types of replica gun liable to conversion by criminals [Para 4.14].
- 16.19** The idea of a ban on the possession of a replica firearm in a public place, with limited exemptions, should be explored further [Para 4.14].
- 16.20** Measures should be taken to educate people about the potential for the misuse of replicas, avoiding glamorising such [Para 4.14].
- 16.21** A majority of FCC members favoured that there should be no change to the level of controls relating to long-barrelled, fixed stock, large magazine pump-action and self-loading shotguns [Para 6.4]
- 16.22** A majority of FCC members recommend that a limited form of 'practical target shooting, as practised by the United Kingdom Practical Shooting Association (UKPSA) and the British Western Shooting Society (BWSS) should be permitted [Para.7.7]
- 16.23** A majority of FCC members recommend that conventional self-loading rimfire rifles should be permitted for vermin control and target shooting. The FCC has strong reservations about weapons of this kind designed to look like military assault weapons [Para 8.3]
- 16.24** A majority of FCC members favoured that there should be no change to the present controls on muzzle-loading revolvers [Para 9.4]
- 16.25** The FCC recommends that the rebuttable presumption against the use of extra cylinders for muzzle-loading revolvers should be maintained. [Para 9.5]
- 16.26** A majority of the FCC recommends that no change should be made to the present controls on gallery rifles [Para 9.8]

16.27 The FCC agree that an exemption for older firearms that pose no realistic danger to public safety should be maintained [Para 12.5].

16.28 The FCC recommend that the current Home Office guidance on antique firearms with a list of calibres considered obsolete should be continued [Para 12.8]

16.29 The FCC recommend that the proposed additions to the 'obsolete calibre' list should be adopted [Para 12.10]

16.30 Antique rifles held under Section 58(2) should not be fired without compromising their status as a 'curiosity or ornament'. However, we would recommend that the police continue to take a sympathetic approach to such weapons being held on a firearm certificate and fired occasionally [Para 2.11].

16.31 Modern reproductions of older weapons should not be considered 'antiques' for the purpose of exemption from controls [Para 12.13]

16.32 The Home Office should discuss with HM Customs & Excise and the Department of Trade and Industry the controls on the import and export of antique guns [Para 12.14]

16.33 A Reference Panel of experts should be established, initially on a non-statutory basis, to assist with queries about the legal status of older firearms [Para 12.15]

16.34 The relevance of Proof House 'certificates of unprovability' to the antique status of older firearms should be promulgated and noted by interested parties [Para 12.16]

16.35 The Home Office should discuss with other EU countries the possible harmonisation of controls on older firearms across Europe [Para 12.17].

16.36 The definition of 'component part' set out in chapter 13 of this report should be adopted as best practice and in due course incorporated into law [Para 13.20]

16.37 Small items should be treated in law as 'sub-components' as set out in chapter 13 [Para 13.21]

16.38 As a matter of best practice, 'sub-components' should only be sold on production of the appropriate certificate by a vendor holding a similar authority [Para 13.22]

16.39 An exemption for sub-contractors handling a limited range of parts of prohibited firearms should be considered further [Para 13.23]

16.40 An exemption should be introduced in the Data Protection Act to permit the disclosure by the police to approved clubs of application for membership [Para 15.2]

16.41 The prohibition on full-bore pump-action rifles in the Firearms (Amendment) Act 1988 should be retained [Para 15.14]

16.42 The current provisions and approach towards the use of sound moderators with full-bore rifles should be maintained [Para 15.17]

16.43 A majority of members believe that the ban on expanding ammunition should be reviewed and, if appropriate, repealed [15.25]

16.44 The provisions for game licenses should be reviewed and abolished [Para 15.39]

ANNEX A

Firearms (Amendment) Act 1988

Firearms Consultative Committee

22.-(1) There shall be established in accordance with the provisions of this section a Firearms Consultative Committee consisting of a chairman and not less than 12 other members appointed by the Secretary of State, being persons appearing to him to have knowledge and experience of one or more of the following matters –

- (a) the possession, use or keeping of, or transactions in, firearms;
- (b) weapon technology; and
- (c) the administration or enforcement of the provisions of the principle Act, the Firearms Act 1982 and this Act.

(2) The reference in subsection (1)(a) above to the use of firearms includes in particular a reference to their use for sport or competition.

(3) Subject to subsection (4) below, a member of the Committee shall hold and vacate office in accordance with the terms of his appointment.

(4) Any member of the Committee may resign by notice in writing to the Secretary of State; and the chairman may by such a notice resign his office as such.

(5) It shall be the function of the Committee –

- (a) to keep under review the working of the provisions mentioned in subsection (1)(c) above and to make to the Secretary of State such recommendations as the Committee may from time to time think necessary for the improvement of the working of those provisions;
- (b) to make proposals for amending those provisions if it thinks fit; and
- (c) to advise the Secretary of State on any other matter relating to those provisions which he may refer to the Committee.

(6) The Committee shall in each year make a report on its activities to the Secretary of State who shall lay copies of the report before Parliament.

(7) The Secretary of State may make to members of the Committee such payments as he may determine in respect of expenses incurred by them in the performance of their duties.

(8) The Committee shall cease to exist at the end of the period of five years beginning with the day on which this section comes into force unless the Secretary of State provides by an order made by statutory instrument for it to continue thereafter, but no such order shall continue the Committee for more than three years at a time.

**The Firearms (Amendment) Act 1988
(Firearms Consultative Committee) Order 1996**

2. The Firearms Consultative Committee shall, following the expiry of the period of its existence specified in article 2 of the Firearms (Amendment) Act 1988 (Firearms Consultative Committee) Order 1993 (*b*), continue to exist for a period of three years beginning on 1st February 1997.

ANNEX B

Biographies of members relevant to their appointment to the Committee and record of attendance at meetings 1998/99 [in brackets] (including sub-Committee meetings)

- Mr G Bennet** [5/7] Deputy Chief Constable, Fife Constabulary. Chairman of the Association of Chief Police Officers of Scotland General Policing Committee Firearms Sub-Group.
- Mr A T Burden** [3/7] Chief Constable, South Wales Constabulary. Former Chairman of the Association of Chief Police Officers Crime Committee Sub-Group on the Administration of Firearms and Explosives Licensing.
- Mr B Carter** [4/8] Director of the Gun Trade Association. Secretary of the Shooting Sports Trust. Member of the British Shooting Sports Council. Several times Great Britain Team Manager at various shooting Grand Prix, European and World Championships.
- Mr R Cooper** [3/7] Head of Criminal & Enforcement Policy Group, HM Customs & Excise
- Superintendent J Duncan** [3/7] Head of Firearms Licensing, Grampian Police
- Mr C A Ewing** [8/8] Former Chief Executive of National Rifle Association. Member of British Shooting Sports Council and of the Management Committee of the Great Britain Target Shooting Sports Federation. Formerly Regular Soldier (Colonel).
- Mr W Harriman** [8/9] Head of Firearms of the British Association for Shooting and Conservation; Member of the Academy of Experts and Law Society registered expert witness in the field of firearms, ammunition and ballistics; member of the British Shooting Sports Council and council member of the Historical Breech-Loading Small Arms Association. Weapons and Militaria consultant for BBC TV 'Antiques Roadshow'; firearms and weapons historian, writing regularly in the shooting/collecting press and in learned journals; former Territorial Army officer (Captain); an active shooter for most of his life with experience of air weapons, muzzle-loading and breech-loading arms, rifle shooting, wildfowling and clay pigeon shooting; collector of 19th century military breech-loading rifles, their ammunition and related accessories.
- Mr J A Hill** [1/3] Engineer. Founder member of Gun Control Network (member to 4 June 1999).
- Mr J D Hoare** [7/8] Secretary of the National Small-bore Rifle Association. Chairman of the Great Britain Target Shooting Federation, Treasurer British Shooting Sports Council, Former Regular Soldier (Lieutenant Colonel).
- Mr B Hughes** [5/7] Barrister. Chief Crown Prosecutor, CPS Cheshire, formerly Assistant Chief Crown Prosecutor for London.

- Mrs G Marshall-Andrews** [4/7] Chair, Gun Control Network
- Mr D S McCrone** [6/7] Deputy Chief Constable, Greater Manchester Police, Chairman of the Association of Chief Police Officers Sub-Committee on the Criminal Use of Firearms
- Mr D J Penn** [12/12] Keeper, Exhibits and Firearms, Imperial War Museum. Fellow of the Society of Antiquaries. Liveryman of the Worshipful Company of Gunmakers. Office holder in Muzzle Loaders Association of Great Britain and Historical Breechloading Smallarms Association. Member of British Shooting Sports Council, Arms and Armour Society and National Rifle Association. Has represented Oxford University and County of London in pistol shooting. Also shoots rifle and shot gun.
- Mr R J Pitcher** [8/8] Special Investigation Branch, Royal Military Police to 1984. Branch Proof Master, Worshipful Company of Gunmakers, Royal Small Arms Factory, Enfield to 1986. Proof Master, Worshipful Company of Gunmakers, London and head of British delegation to the Commission of International Proof. Pistol shot and rough shooter.
- Dr Stephen Smith** [4/7] Technical Advisor, National Union of Farmers
- The Earl of Shrewsbury and Waterford** [4/4] Chairman, Firearms Consultative Committee (to 14 June 1999)
- Mr I Snedden** [5/7] Head of Police Division, Scottish Home Department, then Head of Police Division, Justice Department, Scottish Executive
- Mr T Warlow**[9/10] Home Office National Firearms Forensic Service, the Home Office National Firearms Reporting Laboratory at Huntingdon and now the Firearms Reporting Laboratory of the Forensic Science Service Laboratory, London. An active shooter for most of his life with experience in muzzle-loading, air weapons, rifle and pistol target shooting, game shooting, deerstalking, wildfowling and clay pigeon shooting.
- Mr G Widdecombe** [12/12] Head of Firearms Section, Operational Policing Policy Unit, Home Office.
- Mr J A Winnington** [5/7] Farmer and Magistrate, Chairman of the Magistrates Association sub-committee on road traffic

ANNEX C

Interested parties which have submitted representations

Mr R Andrews
Mr Michael Bame
Mr NR Bassett
Mr Peter Bridgewood
Ms Kate Broadhurst, Scarman Centre for the Study of Public Order
Mr Graham Downing, Joint Essex Council of Wildfowling Clubs
Mr PK Gutteridge
Mr RO Hargett
Mr James Hogarth
Mr KC Howell
Mr Paul Isherwood
Mr Peter Jackson
Mr & Mrs R Jones
Mr Stephen Kendrick, Deactivated Gun Collectors Association
Mr Edward King and Mr Colin Greenwood, The Shooting Sports
Trust Ltd
Mr Richard Knight
Mr David Lacey
Mr Richard Law, Shooters Rights Association
Mr David Ledger, Dince Hill (Holdings) Ltd
Mr Mark Liddiard
Mr Richard Loweth
Mr Roderick McCafferty
Mr Terence Miles
Mr David Murphy
Mr Brian Pavey
Mr J A Roll-Pickering, Countryside Alliance
Mr Colin Taylor
Lt Cdr DL Thomas RN (Retd)
Mr JM Thornton
Mr Brian Toller
Mr J W Trusler
Mr Alan Whittle, Secretary, Frome and District Pistol Club
Mr Graham Whittlesea

ANNEX D

Those attending FCC sub-group meetings (other than FCC members)

Replica and Deactivated Firearms	Mr Keith Bottomley	Home Office
	Mr Dale Clarke	Baptys & Co (film and stage armourer)
	Dr Phillipp Elliot-Wright	National Association of Re-enactment Societies (NARES)
	Mr Howard Giles	English Heritage
	Mr Keith Jardine	Greater Manchester Police
	Mr David Pickering	Webley & Scott Ltd
	Mr Chris Price	Helston Gunsmiths on behalf of the Gun Trade Association
	Mr Clive Royce	HM Customs & Excise
	Mr Alan Tiley	Avon & Somerset Constabulary
Antique Firearms	Mr Ian McColl	Cambridgeshire Constabulary
	Mr Alex Moffat	Fife Constabulary
	Mr George Yannaghas	Arian Trading Ltd (antique and historic firearms)
Dealers Registers and other dealers issues	Mr Keith Bottomley	Home Office
	Mr Tim Greenfield	HS Greenfield & Son (RFD)
	DSpt Keith Jardine	Greater Manchester Police
	Mr Peter Johnson	Merseyside Police
	Mr Andrew Litt	DJ Litt (Firearms) Ltd (RFD)
	DC Dennis Malone	Greater Manchester Police
	Mr Ian McColl	Cambridgeshire Constabulary
	Mr Alex Moffat	Fife Constabulary
	Mr Zoran Nikacevic	Henry Krank & Co Ltd (RFD)
Mr Oskar Waktare	GMK Ltd (RFD)	
Component Parts of Firearms	Mr Colin Greenwood	Shooting Sports Trust
	Mr Garry Smith	Metropolitan Police
	Mrs Madeleine Swainbank	Manroy Engineering for the Defence Manufacturers Association (DMA)
Security	Mr Simon Barrett (Chair)	Home Office
	Mr Mike Eveleigh	British Association for Shooting and Conservation
	Mr Doug Glaister	National Rifle Association
	Mr Colin Greenwood	Shooting Sports Trust
	Mr John Horton	National Rifle Association
	Mr Pat Johnson	British Shooting Sports Council
	Mr Peter Johnson	Merseyside Police
	Mr Alex Moffat	Fife Constabulary
	Mr Tony Slate	Derbyshire Constabulary

Range Safety

Mr Peter Bloom
Colonel W Bowles
Mr Geoff Doe
Mr Mike Eveleigh

Mr Doug Glaister
Mr Pat Johnson
Mr Ian McColl
Mr Richard Malbon
Mr Michael Squire
Mr Mick Sykes

Sportsman's Association
Ministry of Defence
National Small-Bore Rifle Association
British Association for Shooting and
Conservation
National Rifle Association
British Shooting Sports Council
Cambridgeshire Constabulary
Sportsman's Association
British Deer Society
Lancashire Constabulary

ANNEX E

Antique Firearms: Agreed additions to the list of obsolete centre-fire cartridges appended to 'Changes to the Firearms Law: Advice for Museums and Collectors' produced by the Home Departments

- 1) Imperial rifle
- .250 Rook
 - .276 Enfield P.13
 - .32 Long Rifle CF NB recommended for Section 58(2) **in rifles ONLY.**
 - .32-40 Winchester and Ballard
 - .32 Ideal
 - .35/30 Maynard
 - .35/40 Maynard
 - .360 Rook NB recommended for Section 58(2) **in rifles ONLY.**
 - .360 shotgun
 - .360 Gibbs No. 4 Also known as the .380 Gibbs No. 4
 - .369 Purdey
 - .380 Black Powder Express Also known as the .380-2¹/₄" Rigby, and .360-2¹/₄".
 - .380 Long Rifle NB recommended for Section 58(2) **in rifles ONLY.**
 - .40/40 Maynard
 - .40/60 Maynard
 - .40/70 Maynard
 - .40-70 WCF
 - .425 Webley 1⁵/₁₆"
 - .430 Long rifle
 - .44/100 Maynard
 - .442 Carbine 1.025"
 - .450/.400 Black Powder in case lengths of 2³/₈", 2⁷/₈", 2¹⁹/₃₂" Thomas Turner No. 2. 2³/₄" Westley Richards and 3¹/₄". Also the .450/.400 3" S Jeffery
 - .450 Black powder Express In case lengths of 1¹/₂", 2¹/₂", 2⁹/₁₆", 2⁶/₁₀", 3", 3¹/₁₆", and 3¹/₄".
 - .45 Turkish Peabody
 - .50/50 Maynard
 - .50/70 Maynard
- 2) Imperial pistol
- .32-.44
 - .320 British
 - .340 revolver
 - .430 revolver
 - .430 Long revolver
 - .442 revolver Also known as .44 Webley.
 - .442 Long Revolver
 - .44 Colt revolver
 - .44 Remington revolver
 - .44 S&W American
 - .44 Merwin Hulbert Long
 - .44 Merwin Hulbert Short
 - .44 S&W Russian
 - .45 Mars Long
 - .45 Mars Short
 - .45 MP
 - .450 No. 1 Bland

- 3) Metric rifle**
- 6x58 Gewherprüfungskommission M1897**
 - 6x58 Forster**
 - 7.5x53.5 Swiss Schmidt Rubin M.1890**
 - 9.5x47R**
 - 11.15x58R**
 - 12.7x45R Papal Remington** As synonym for the 12.8x45R papal Remington.
 - 13x92 Mauser T-Gew**
- 4) Metric pistol**
- 7mm German Target Pistol Cartridges**
 - 7.8x19R Laumann**
 - 8mm German Target Pistol**
 - 8mm Schonberger**
 - 9.4mm Dutch revolver**
 - 10mm Mars**
 - 10mm Mauser Short**
 - 10mm Mauser Long**
 - 10.4mm Swiss M.1878**
 - 10.6mm German Ordnance revolver.**
 - 10.6mm Mauser**
 - 11mm French Ordnance revolver M1870 (Navy)**
 - 11mm French Ordnance revolver M1873 (Army)**
 - 11.35mm Schouboe Rrimmed and Rimless versions**
- 5) Cartridges expressed by bore size**
- 32 bore**
 - 24 bore**
 - 14 bore**
 - 10 bore 2⁵/₈" and 2⁷/₈" only**
 - 8 bore**
 - 4 bore**
 - 3 bore**
 - 2 bore**

ANNEX F

List of publications relevant to the Report

Firearms Act 1920	The Stationery Office ISBN 0 10 8504107
Firearms Act 1968	The Stationery Office ISBN 0 11 802339
Firearms (Dangerous Air Weapons) Rules 1969	The Stationery Office ISBN 0 11 090047 2
Firearms Act 1982	The Stationery Office ISBN 0 10 5431826
Firearms (Amendment) Act 1988	The Stationery Office ISBN 0 10 5445886
Firearms (Amendment) Act 1992	The Stationery Office ISBN 0 10 5431923
Firearms Acts (Amendment) Regulations 1992	The Stationery Office ISBN 0 11 0259025
Firearms (Dangerous Air Weapons) (Amendment) Rules 1993	The Stationery Office ISBN 0 11 034490 1
Firearms (Amendment) Act 1994	The Stationery Office ISBN 0 10 543194 X
Firearms Rules 1989	The Stationery Office ISBN 0 11 0968549
Firearms (Amendment) Rules 1992	The Stationery Office ISBN 0 11 0258924
Firearms (Amendment) Act 1988 (Firearms Consultative Committee) Order 1993	The Stationery Office ISBN 0 11 033390X
Firearms (Amendment) Act 1988 (Firearms Consultative Committee) Order 1996	The Stationery Office ISBN 0 11 063514 0
Firearms (Amendment) Act 1997	The Stationery Office ISBN 0 10 540597 3
Firearms (Amendment) Act 1997 (Commencement)(No 1) Order 1997	The Stationery Office ISBN 0 11 064333 X
Firearms (Amendment) Act 1997 (Commencement)(No 2) Order 1997	The Stationery Office ISBN 011 064559 3
Firearms (Amendment) Act 1997 (Commencement)(No 2) (Amendment) Order 1997	The Stationery Office ISBN 011 064572 3

Firearms (Amendment) Act 1997 (Firearms of Historic Interest) Order 1997	The Stationery Office ISBN 0 11 064571 5
Firearms (Amendment) Act 1997 (Transitional Provisions and Savings) Regulations 1997	The Stationery Office ISBN 011 064570 7
Firearms Law: Guidance to the Police	The Stationery Office ISBN 0 11 3409036
Home Affairs Committee Fifth Report Possession of Handguns	The Stationery Office ISBN 0 10 550526 9
The Public Inquiry into the Shootings at Dunblane Primary School on 13 March 1996	The Stationery Office ISBN 0 10 133862 7
The Public Inquiry into the Shootings at Dunblane Primary School on 13 March 1996 - The Government Response	The Stationery Office ISBN 0 10 133922 4
Firearms Consultative Committee First Annual Report	The Stationery Office ISBN 0 10 2543909
Firearms Consultative Committee Second Annual Report	The Stationery Office ISBN 0 10 257491X
Firearms Consultative Committee Third Annual Report	The Stationery Office ISBN 0 10 2074933
Firearms Consultative Committee Fourth Annual Report	The Stationery Office ISBN 0 10 0210333
Firearms Consultative Committee Fifth Annual Report	The Stationery Office ISBN 0 10 248894 0
Firearms Consultative Committee Sixth Annual Report	The Stationery Office ISBN 0 10 258895-3
Firearms Consultative Committee Seventh Annual Report	The Stationery Office ISBN 0 10 277196-0
Firearms Consultative Committee Eighth Annual Report	The Stationery Office ISBN 0 10 270598 -4
Firearms Consultative Committee Ninth Annual Report	The Stationery Office ISBN 0 10 552176 - 0

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