

# FCC

FIREARMS CONSULTATIVE COMMITTEE

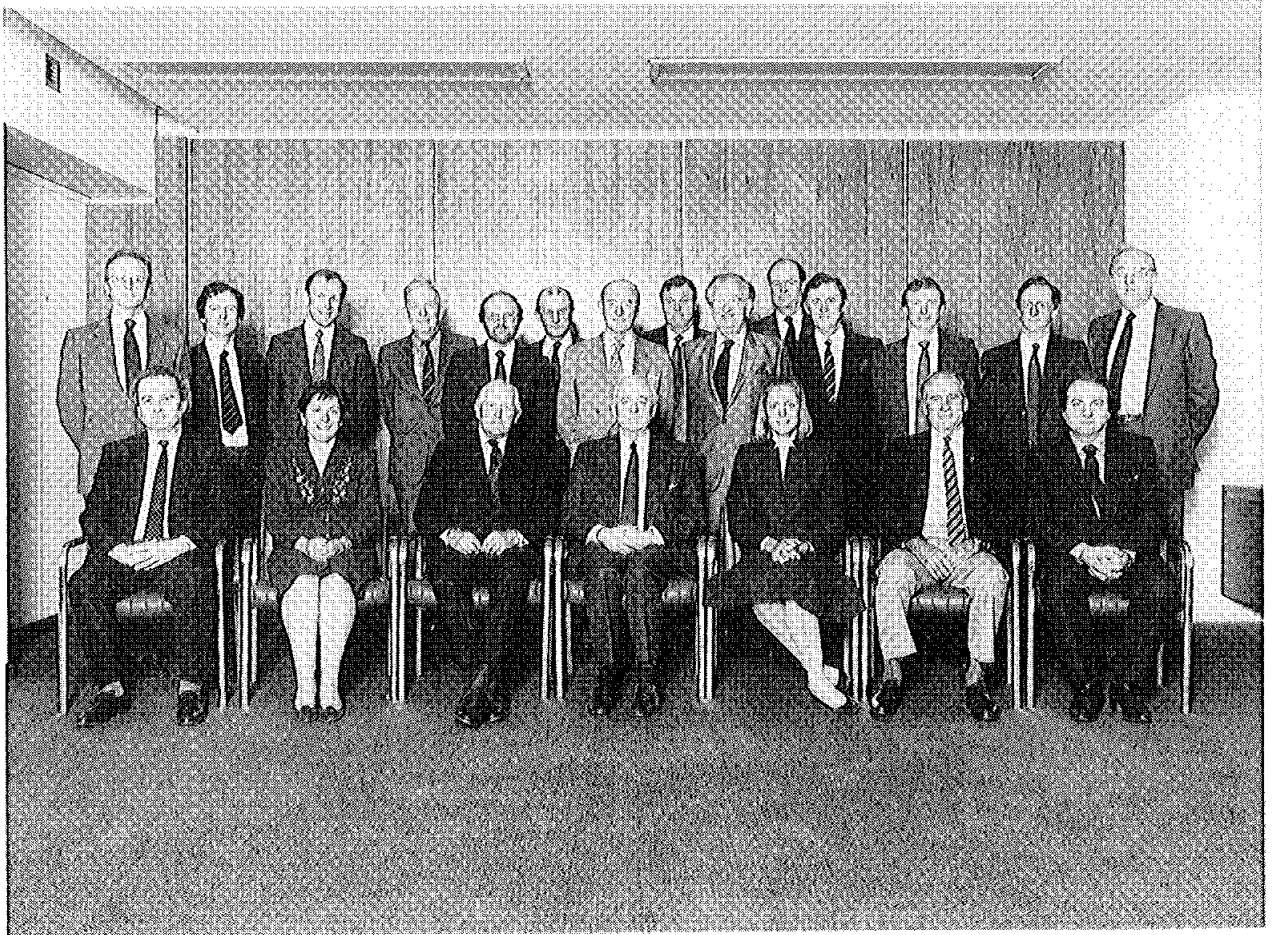
## FIRST ANNUAL REPORT

The Independent body established by an Act of Parliament to keep  
under review the working of the Firearms Acts 1968-88



# **Firearms Consultative Committee**

**ANNUAL REPORT  
1989-1990**



Members of the Firearms Consultative Committee meet the Home Secretary.

---

# Report of the Firearms Consultative Committee for 1989–1990

*Presented pursuant to Act Eliz II 1988 C.45*

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

*Ordered by the House of Commons to be printed  
24 July 1990*

---

**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 first Annual Report of the Firearms Consultative Committee.

A handwritten signature in black ink, appearing to read "Kim Fall". The signature is written in a cursive style with a long horizontal stroke extending to the right.

THE LORD KIMBALL  
Chairman

The Rt Hon David Waddington QC MP  
Secretary of State for the Home Department

---

# CONTENTS

	<i>Pages</i>
1. INTRODUCTION	
Origins of the Committee	5
Composition of the Committee	5
Appointment of the Committee	5
Functions of the Committee	5
Lifespan of the Committee	5
Aim of the Committee	6
2. PROGRAMME OF WORK	
Other Issues	7
Publicity	7
Representations	7
3. APPROVED RIFLE AND PISTOL CLUBS	
Statutory Controls	9
Home Secretary's proposals to tighten controls on approved clubs	9
Consideration of the Proposals	10
Conclusions and Recommendations	11
Use of term "Gun Club"	13
Standards of Instruction in Safe Handling of Firearms	13
Definition of Target Practice in Section 15 of the 1988 Act	13
Conclusions and Recommendation	15
4. COUNTERSIGNATURES	
Statutory Controls	16
Home Office Guidance	16
Problems Encountered	16
Action	17
Conclusions and Recommendation	17
5. USE OF LARGE MAGAZINE SMOOTH-BORE GUNS FOR CLAY PIGEON SHOOTING	
Statutory Controls	18
Home Office Guidance	18
Consideration	18

	<i>Pages</i>
6. SAFEKEEPING OF FIREARMS AND SHOT GUNS	
Statutory Controls	20
Home Office Guidance	20
Problems Encountered	20
Action	21
British Standards Institute	21
Conclusions	22
7. VISITORS PERMIT SCHEME	
Statutory Controls	23
Home Office Guidance	23
Problems Encountered	23
Channel Islands	25
Conclusions and Recommendations	25
8. OTHER ISSUES	
Fees	27
Length of Certificate	27
Computerisation of Dealers' Registers	27
EC Directive	28
Estate Rifles	28
9. FORWARD LOOK	29
10. SUMMARY OF RECOMMENDATIONS	30

## ANNEXES

	<i>Pages</i>
A. Extract from Firearms (Amendment) Act 1988 (Section 22)	32
B. Biographies of members relevant to their appointment	33
C. List of topics from which programme of work was drawn	36
D. News Release on programme of work	37
E. News Release on Committee's advice on approved clubs	39
F. Summary of law on possession of firearms	41
G. List of organisations who have sent representations	44
H. List of Publications referred to in Report	45



---

# CHAPTER 1

## Introduction

- Origins of the Committee** 1.1 The Firearms Consultative Committee was established on 1 February 1989. The Committee is a statutory body provided for under section 22 of the Firearms (Amendment) Act 1988 (reproduced at Annex A).
- Composition of the Committee** 1.2 Section 22(1) of the 1988 Act provides for the composition and appointment of the Committee. Certain minimum requirements must be fulfilled. The Committee shall consist of members appointed by the Home Secretary being persons appearing to him to have knowledge and experience of either the possession, use (in particular for sport or competition) or keeping of, or transactions in, firearms; or weapon technology; or the administration or enforcement of the provisions of the Firearms Acts 1968 to 1988. The Committee must comprise a Chairman and not less than twelve other members.
- Appointment of the Committee** 1.3 The appointment of the Committee Chairman, Lord Kimball, was announced on 25 May 1989 and full membership of the Committee on 14 September 1989. A list of members as at 1 January 1990 is at Annex B.
- 1.4 Enthusiasm for the Committee was clear from the many nominations for membership which were received. Given the large number of shooting interests it was not possible for all to be represented without the Committee becoming unworkably large. With the exception of the representatives of the Home Office and Scottish Home and Health Department, members were selected, therefore, in a personal capacity on the basis of individual merit and not as representatives or delegates of particular bodies.
- Functions of the Committee** 1.5 The main functions of the Committee are to review the provisions of the Firearms Acts 1968 to 1988, and to make recommendations for improving their working; to make proposals for amending the provisions of these Acts where necessary; and to advise the Home Secretary on other matters which he refers to the Committee.
- 1.6 These wide ranging terms of reference endow the Committee with a significant measure of autonomy and responsibility and make it an important forum for the discussion of matters within the remit.
- Lifespan of the Committee** 1.7 Under section 22(8) of the 1988 Act, the Committee is to exist for a period of five years from 1 February 1989, the date on which the section came into force, continuing thereafter at the discretion of the Home Secretary. The Chairman has been appointed for a five year period and members for a period of two years in the first instance from 28 September 1989, the date on which the Committee first met.

**Aim of the Committee** **1.8** The Committee aims to play a full part in the administration of firearms legislation and to take a realistic approach to the contentious areas of policy which have concerned the shooting community and police alike in the past. By putting forward sound and sensible proposals for handling these issues it hopes to provide a valuable service to the Government, the shooting community and the public.

**1.9** During its first year 1989/1990, the Committee met on five occasions. For one of these meetings the Committee accepted the hospitality of the Imperial War Museum where members were offered the opportunity to view the Museum's extensive exhibits.

---

## CHAPTER 2

### Programme of Work

**2.1** At its first meeting the Committee considered possible items for inclusion in its programme of work. We were conscious of the large number of issues to which the Committee could properly turn its attention. Nevertheless, we recognised that it was important to use our time and resources constructively and effectively by concentrating on those issues which appeared to be of the most immediate importance and concern. A list of topics was drawn up, therefore, and is reproduced in full at Annex C. From this list of wide-ranging issues, and in addition to any matters referred to the Committee by the Home Secretary, we decided to give detailed consideration during the first year to the following topics:

Safekeeping of shot guns and firearms

Visitor's permit scheme

Definition of target practice in section 15 of the 1988 Act  
Countersignatures

Large magazine smooth bore guns for clay pigeon shooting  
Approved rifle and pistol clubs.

It must be emphasised that we have not lost sight of the remaining topics. We hope to take these forward in our continuing programme of work as and when appropriate.

**Other issues** **2.2** Although the programme undertaken is a strenuous one members also recognised the need to consider any other matters brought to their attention which they felt disclosed matters of policy of national importance to shooting interests and therefore worthy of consideration.

**Publicity** **2.3** On 8 December 1989 the Committee publicised its work programme by the issue of a news release (Annex D). We felt this was important so as to enable interested parties to make representations on topics for which they held a particular concern.

**Representations** **2.4** During the year we have received a large number of representations on a diversity of subjects. All representations are warmly welcomed. Any person wishing to draw the Committee's attention to particular concerns which can properly be put on an agenda for discussion should do so in writing to:

The Secretary  
Firearms Consultative Committee  
50 Queen Anne's Gate  
London SW1H 9AT

It is important to remember, however, that it is not the function of the Committee to seek to intervene in or comment on individual applications for the grant or renewal of firearm

or shot gun certificates or to act as an appellate authority where individuals are aggrieved by decisions made by chief officers of police. Neither can the Committee endorse specific commercial products as this would be exceeding its terms of reference.

**2.5** This report is concerned with our deliberations on the topics on the programme of work and other issues which came to the Committee's attention during the course of the year.

---

## CHAPTER 3

### Approved Rifle and Pistol Clubs

#### Statutory Controls

**3.1** The approved club system began with the Firearms Act 1920. This Act established the current rights of approved rifle and pistol clubs and cadet corps to the issue of a free firearm certificate; and the exemption from the need to hold a firearm certificate for the members of such clubs and corps when engaged as members in, or in connection with, drill or target practice.

**3.2** The provisions of the Firearms Act 1920 in relation to approved rifle clubs and cadet corps were re-enacted without amendment in both the Firearms Act 1937 and the Firearms Act 1968.

**3.3** On 1 July 1989 section 15 of the Firearms (Amendment) Act 1988 came into force. This provides for a member of an approved rifle club, miniature rifle club or pistol club to have possession of a firearm and ammunition when engaged as such a member in, or in connection with, target practice. The approval of a club is renewable on a six yearly basis and subject to payment of a fee on both grant and renewal. The section also gives the police powers of entry to, and inspection of, an approved rifle or pistol club and makes it an offence to prevent the exercise of such powers.

#### Home Secretary's proposals to tighten controls on approved clubs

**3.4** Following two tragic incidents in the Greater Manchester Police area, the Home Secretary announced on 14 November 1989 that he was minded to revise the criteria applied to rifle and pistol clubs approved under section 15 of the 1988 Act. One of the incidents involved a probationary member of an approved club and the weapon used in the other had been stolen from a member of an approved club by a person, prohibited from possessing firearms, who had attended that club on previous occasions as a day member.

**3.5** The announcement indicated that clubs operating day or temporary membership schemes should no longer be approved. Any applicant for probationary membership of an approved club would be required to be sponsored by two full members of the club both of whom held firearm certificates.

Probationary members when in possession of firearms or ammunition would be required to be constantly supervised by the range master (range officer) or a full member of the club holding a firearm certificate. Probationary members must remain probationers for at least six months and also be given a course of instruction in the safe use of guns. No club should at any time have more probationary members than full members.

**3.6** Before reaching a final decision the Home Secretary referred the proposed new controls as a matter of urgency to

the Committee for its views following the meeting on 30 November 1989.

**3.7** The Committee felt this was not a matter on which it was easy to give an instant decision. It was also concerned that the Home Secretary's intentions had been made public before the Committee had been afforded the opportunity to consider his proposals in detail. It was aware that this gave the impression to many that the issue had been prejudged and that our consideration was little more than a formality. Members were very conscious of the short time available for discussion of such an important issue. It was necessary, therefore, to ask the Home Secretary to defer a decision on the matter to allow further discussion at a special meeting of the Committee on 11 January 1990.

**Consideration of the  
Proposals**

**3.8** The Committee fully appreciated that it is essential to prevent, as far as practicable, irresponsible persons or those with criminal intent from gaining access to firearms. Nevertheless, we were acutely aware that the vast majority of approved clubs conducted their activities in a responsible manner. The effectiveness of the controls designed to guard against less responsible clubs had to be balanced, therefore, against the need to avoid damaging the sport and to ensure its future development.

**3.9** It was clear from our discussions and the large number of representations received from organisations and individual clubs that the main areas of contention were the proposal that clubs operating day or temporary membership schemes should no longer be approved; the proposed sponsorship test; the constant supervision of probationary members; and the length of the probationary period and the number of attendances.

**3.10** The Committee examined the arguments put forward for the retention of day or temporary membership schemes. It was argued that such schemes allowed clubs to judge the suitability of a person before they became a probationary member and that they provided the main source of supply of new members. In addition, we also considered the suggestion that prohibition of day or temporary membership schemes would stifle the interest from newcomers to the sport and thereby threaten the very existence of some clubs. We were also aware of the use of day or temporary membership by participants in the Duke of Edinburgh award scheme and by youth and charity organisations and the difficulties the Home Secretary's proposals might cause.

**3.11** The argument of discouraging newcomers to clubs was also extended to the proposed sponsorship test. It was felt that certain groups of people such as newcomers to the sport and people moving from one part of the country to another would experience difficulty in finding two sponsors who were members of the club they wished to join and who also held firearm certificates. In some clubs, few full members hold personal firearm certificates.

**Conclusions and  
Recommendations**

**3.12** In the light of the evidence before it, members were deeply concerned that the two proposals as they stood were too severe and could well damage the future of the sport. The Committee concluded that a definite role existed for a strictly controlled scheme of temporary membership to allow prospective probationary members to try out the sport and for clubs to assess their suitability. Furthermore, we felt that the proposed sponsorship test was too onerous, rigid and impractical. Accordingly, the Committee did not feel able to endorse the Home Secretary's proposal to abolish day or temporary membership; or the proposed sponsorship test. Many clubs already operated as good practice supervised probationary membership schemes and gave courses of instruction in the safe handling and use of firearms and ammunition.

**3.13** Bearing in mind that the Home Secretary had declared his intention to introduce these proposals and that the retention of the status quo was therefore not an option—particularly where the Committee felt unable to endorse the proposals without reservation—the Committee endeavoured to put forward alternative proposals aimed at providing safeguards for the sport whilst at the same time meeting the public concern expressed and the ability of an unknown casual visitor to an approved club gaining immediate access to firearms and ammunition which the Home Secretary was seeking to cure by his initial proposals.

**3.14** During our discussions, the problem of people being discouraged from taking up the sport by the abolition of day membership was highlighted. However, the proposed open days were rejected as being difficult to supervise safely and unattractive as a person would gain no 'hands on' experience. We felt there was room for a compromise position between these two extremes. Drawing on suggestions put forward by individual members, the Committee as a whole agreed on a set of alternative proposals. *We recommended* that provision should be made for any person who wished to join an approved club as a probationer to receive initial instruction as a novice member on no more than four occasions a year in the

safe use of *firearms only*, at the discretion of a responsible officer of the club. This instruction should be under the direct personal charge of a club member of not less than two years full membership experience who would be in charge of any firearm used in such instruction. A novice member would have no access to ammunition (see Annex E).

**3.15** In addition, *the Committee recommended* that clubs should be permitted to hold guest days on no more than four occasions per year, when limited numbers of people known to the club could be invited in person by the club secretary to be guest members so that their suitability to become probationary members and to handle and use firearms safely could be properly assessed. Clubs should be required to give reasonable prior notice of the proposed guest days to their local chief officer of police who have statutory powers of inspection under the Firearms (Amendment) Act 1988.

**3.16** When seeking to arrive at a less onerous sponsorship test, we examined closely the aim of the proposal. We considered that the main purpose and value of such a test lay in the sponsor being able to make an informed judgement about the applicant's attitude towards, and fitness to be entrusted with, firearms.

**3.17** Accordingly, the Committee recommended to the Home Secretary that the two sponsors should be one full member of the club which the applicant wishes to join and one person who knows the applicant personally.

**3.18** The Committee accepted the other proposals made by the Home Secretary. However, we recognised that the proposal about the ratio of full and probationary membership of clubs could well cause difficulties for individual clubs, in particular for those connected with educational establishments, and in the founding of new clubs. Consequently, our acceptance of this and the other proposals was subject to the proviso that sympathetic consideration would be given in these and other exceptional circumstances where difficulties for individual clubs arose.

**3.19** The nature of the Committee's advice to the Home Secretary was made public on 16 January 1990 by way of a news release. A copy of the news release is at Annex E.

**3.20** During the course of our discussions on the Home Secretary's proposals a number of other issues relating to the approved club system were raised. Our observations on these are recorded in the following paragraphs.



**Use of Term “Gun Club”** 3.21 The Committee became aware that a certain amount of confusion was being caused by the inappropriate use of the term “gun club”. The term was being used in its generic sense when referring to rifle and pistol clubs. However, the term “gun club” was commonly associated by the shooting community with shot guns. Its use in the Home Office publicity leaflet and press release on approved rifle and pistol clubs had led to a degree of misunderstanding as it was not immediately clear for which areas of the shooting community these were intended.

3.22 *The Committee advocates* as good practice the use of the correct terminology when referring to approved rifle and pistol clubs and recommends that future issues of the Home Office leaflet should take this into account.

**Standards of Instruction in Safe Handling of Firearms** 3.23 In accepting the Home Secretary’s proposal that probationary members of approved clubs should be given a course of regular instruction in the safe use of firearms, the Committee considered the standard of that instruction to be of importance. We were conscious of the likelihood that practices would vary from club to club; from the best run club to those not so well run. It also had to be acknowledged that not everyone, no matter how good a shot, was capable of giving appropriate instruction.

3.24 In our advice to the Home Secretary, therefore, we indicated that the issue of a standard of instruction in safe handling of firearms was a matter that the Committee wished further to consider.

**Conclusion and Recommendation** 3.25 Having looked at the issue further, we concluded that it would not be appropriate for the Committee itself to recommend minimum or arbitrary standards. Rather, in view of the varying disciplines and different types of weaponry used, we are in favour of self regulation in this matter by the appropriate national shooting organisations.

3.26 *We recommend* that all national shooting organisations to which approved rifle and pistols clubs are affiliated should draw up appropriate standards of instructions in the safe handling of firearms and that such standards should be disseminated to all affiliated clubs.

**Definition of Target Practice in Section 15 of the 1988 Act** 3.27 The Committee had already undertaken to look at the more specific issue of the definition of target practice in section 15 of the 1988 Act.

**3.28** The problem over the definition of target practice came to light with the issue of the Home Office publicity leaflet on the approval system for rifle and pistol clubs. This stated that:

“Approval enables club members to possess firearms and ammunition without holding a personal firearm certificate when they are engaged as club members in, or in connection with, target practice. Target practice does not include participation in sporting events or competitive shooting”.

Two schools of thought had emerged on this issue. First, that the term “target practice” meant individual practice shooting to improve marksmanship and as such excluded competition; second, that it meant the practice of shooting at targets and thereby encompassed competition.

**3.29** This appeared to be a very contentious problem with wide scale ramifications for approved clubs. Club members engaged in a joint activity had no clear advice or guidance as to whether or not they were participating in target practice within the meaning of section 15 of the 1988 Act. This was worrying as they would have no specific knowledge of when criminal liability might arise.

**3.30** The Committee examined the background to the statement made in the publicity leaflet. This was said to reflect the view taken by Parliament following its consideration of an unsuccessful amendment tabled during the passage of the Firearms (Amendment) Bill which had sought to extend the exemption to cover target practice “or competition”. Reference was made elsewhere in the 1988 Act to competition and it was argued that if Parliament had intended section 15 to include competition it would have said so on the face of the statute.

**3.31** Further support was said to derive from the origins of the exemption provided under section 15. This lay in the Firearms Act 1920. Parliamentary discussion of the 1920 Act, such as exists, appears to indicate that the intention of the exemption was primarily to except people wishing to improve their marksmanship from the fee for a firearm certificate and to give limited privileges to members of rifle clubs. There was no clear indication that the exemption was intended to apply to competition. It was claimed that there was nothing in legislative history to suggest that the meaning of “target practice” had changed since 1920.

**3.32** We accept that the meaning of “target practice” has not changed since it was introduced some 60 years ago. The provision has been re-enacted in various Firearms Acts

without amendment. But on none of these occasions has Parliament seen fit or deemed it necessary to define the precise activity which it is intended to cover. We note that the term “target practice” is not defined in either the Firearms Act 1968 or the Firearms (Amendment) Act 1988. Nor is there any legal authority or precedent on this matter, so far as we are aware. The absence of a formal definition and the lack of certainty in the terminology used has undoubtedly contributed to the difference of views which have arisen.

3.33 We recognise that competitive shooting within approved rifle and pistol clubs is both widespread and longstanding. It forms an essential part of club activity and many events, designed for different age groups and shooting abilities, have as their purpose both the enjoyment of the sport and the improvement of skill and marksmanship. The Duke of Edinburgh’s Award Scheme, postal competitions and Master at Arms events are just some of the different competitions in which members of approved clubs participate. Such events have been taking place over a substantial number of years.

**Conclusions and Recommendation**

3.34 In the absence of any statutory definition we believe that the expression should be construed according to the ordinary meaning of the words in the context of the legislation. For many years, members of approved rifle and pistol clubs have taken this to mean the practice or custom of shooting at a target or device. We see no reason to depart from this view. No mischief has arisen from this interpretation, so far as we are aware, and there has been no risk to public safety. Accordingly, from this *the consensus of the Committee* is that the expression “target practice” as used in section 15 of the 1988 Act embraces all forms of competitive shooting.

---

## CHAPTER 4

### Countersignatures

**Statutory Control** 4.1 Rule 5 of the Firearms Rules 1989 sets out the statutory requirements for a countersignatory for firearms and shot gun certificate application. The countersignatory must:

- (a) be resident in Great Britain,
- (b) have known the applicant personally for at least two years, and
- (c) be a Member of Parliament, justice of the peace, minister of religion, doctor, lawyer, established civil servant, bank officer, or person of similar standing.

4.2 The purpose of the countersignature is to assist the police in their consideration of an application for a firearm or shot gun certificate by having a responsible member of the community verify the information contained in questions 1–15 and make a considered assessment with regard to the statement which the countersignatory is required to make, that he knows of “no reason why the applicant should not be permitted to possess a firearm”. For this reason, the Firearms Rules nominate a broad range of professions which might stand as countersignatories, but the list is not intended to be exhaustive or prescriptive and also encompasses persons of similar standing in the community whom the chief officer of police can recognise as a reliable and responsible countersignatory.

**Home Office Guidance** 4.3 Home Office guidance in the document *Firearms Law: Guidance to the Police* indicates that where an applicant has few contacts in the community, the category of “persons of similar standing” may need to be extended fairly widely. It should include, for example, members of professional bodies such as accountants, architects and surveyors and, where the applicant is known personally to him, the applicant’s current or former employer.

**Problems Encountered** 4.4 The Committee became aware that problems being encountered were arising from a too rigid interpretation by some police forces of the definition of a countersignatory as set out in the Firearms Rules 1989. The problem was not a universal one as most forces were exercising discretion sensibly and practically. However, others were sticking unnecessarily rigidly to the definition. This inflexible approach meant that certain groups of people were experiencing considerable difficulty in finding a person acceptable to the police to act as a countersignatory. Anomalies also existed where a person acting as countersignatory on two applications would be deemed by the police as acceptable on one application yet rejected as unsuitable on the second. The charging of a fee by some countersignatories was brought to our attention. Whilst

not a significant problem, the Committee felt this practice was helpful neither to the applicant nor to the police.

**Action** **4.5** In considering this topic, we looked at whether revising the definition of a countersignatory would ease the problems being encountered and also ensure that the aim behind the requirement was being met with only those with a personal knowledge of the applicant's suitability acting as countersignatory. We concluded, however, that even if the definition were to be revised the problem of interpretation would still remain.

**4.6** The concerns of the Committee were made known to the Association of Chief Police Officers (ACPO). In response to these concerns, we were pleased to learn that a letter was sent by ACPO in December 1989 to all police forces advocating the greater use of discretion when interpreting the definition of a countersignatory.

**Conclusions and Recommendation** **4.7** We take the view that no class or category of persons, save perhaps for those of no fixed abode, and the like, should be automatically excluded from being considered a person of some standing in the community to act as a countersignatory, although a particular individual may not be found to be suitable in a particular case.

**4.8** We are happy to report that as a result of the Committee's efforts greater flexibility has now been adopted by the police in the interpretation of the definition of a countersignatory. As a result, there has been a definite improvement in this area and the issue has not since been raised with the Committee as a continuing problem. However, where an apparent inconsistency occurs *we recommend* that the person writes to the chief officer of police concerned for an explanation.

---

## CHAPTER 5

### Use of Large Magazine Smooth-bore Guns for Clay Pigeon Shooting

**Statutory Controls** 5.1 Section 2 of the Firearms (Amendment) Act 1988 which came into force on 1 July 1989 raised to the category of section 1 firearms all smooth-bore guns with a barrel of over 24 inches having a magazine capacity of more than two cartridges.

**Home Office Guidance** 5.2 Chapter 6 of the Home Office document *Firearms Law: Guidance to the Police* states that:

“An applicant wishing to obtain a certificate for a smooth-bore gun with a magazine capable of holding more than two cartridges must demonstrate a reason applicable to a larger capacity smooth-bore gun. There are relatively few instances in which a limited capacity smooth-bore gun will not serve as well. Clay-pigeon shooting, for example, does not require a participant to discharge more than two shots before reloading, and the Wildlife and Countryside Act 1981 prohibits the use of the larger capacity weapon to take wildlife other than under certain conditions.

However, an application to use such a gun, for example, for controlling wood pigeons and similar pests on a farm or for practical target shooting by a member of a relevant organisation, should normally represent a good reason for the grant of a certificate”.

5.3 The Committee were advised that the Home Office has taken the view that the advice given in the Guidance remains valid even where the applicant is already entitled to possess a large capacity smooth-bore gun for another legitimate purpose. In line with this many police forces were placing territorial conditions on firearms certificates which prevented the use of large magazine smooth-bore guns for clay pigeon shooting.

**Consideration** 5.4 Following their reclassification to section 1 control arguments have been canvassed as to whether large magazine smooth-bore guns are appropriate for clay pigeon shooting. The Committee decided, therefore, to examine in particular whether once a good reason has been demonstrated for possession of the gun the holder should then be allowed to use it for clay pigeon shooting.

5.5 The Committee heard that the decision taken by the Home Office to recommend against clay pigeon shooting as a good reason for possessing a large magazine gun was based on advice provided by the Clay Pigeon Shooting Association (CPSA). The CPSA had indicated that all its clay disciplines require no more than two shots. Flushing, which involves more than two clays being fired into the air at the same time, is not a CPSA approved discipline. It was suggested, therefore, that it

would be invidious and inequitable to allow persons who had demonstrated a good reason for possession of such a gun to use it for another purpose which would not normally constitute a good reason. It also had to be borne in mind that Parliament had seen fit to raise the guns concerned to section 1 so that greater control could be exercised over them.

**5.6** Against this was raised the argument that the safe handling of a large magazine smooth-bore gun acquired for, say, vermin control was often learnt by clay pigeon shooting. Whilst vermin shooting took place largely unsupervised, registered clay pigeon shoots were properly regulated and fully supervised. It was maintained that the use of these guns on such shoots posed no threat to public safety. Parallels were drawn in this argumentation with the grant of a firearm certificate for deerstalking or vermin control which allowed the person the facility to enhance their expertise by zeroing on suitable rifle ranges. We also considered the likelihood of whether a person who possessed only a large magazine gun but who wished to go clay pigeon shooting would be required to purchase a section 2 shot gun.

**5.7** Many views have been expressed on this subject and our deliberations are still continuing. We are anxious that as full consideration as possible is given to every aspect of the arguments raised. Consequently, at the time of this report the Committee is not yet in a position to offer firm advice but will be carrying the topic forward into our second year.

---

## CHAPTER 6

### Safekeeping of Firearms and Shot Guns

**Statutory Controls** 6.1 The Firearms Rules 1989 introduced new conditions on shot gun and firearm certificates relating to the secure storage of guns. Shot guns and firearms must, when not in use, be stored securely so as to prevent, so far as is reasonably practicable, access to the firearms or ammunition/shot gun by an unauthorised person. The full text of the condition is as follows:

- “(a) The [firearms and ammunition/shot gun] to which this certificate relates must at all times (except in the circumstances set out in (b) below) be stored securely so as to prevent, so far as is reasonably practicable, access to the [firearms or ammunition/guns] by an unauthorised person.
- (b) Where a [firearm or ammunition/shot gun] to which this certificate relates is in use or the holder of the certificate has the firearm with him for the purpose of cleaning, repairing or testing it or for some other purpose connected with its use, transfer or sale, or the [firearm or ammunition/gun] is in transit to or from a place in connection with its use or any such purpose, reasonable precaution must be taken for the safe custody of the [firearm or ammunition/gun]”.

**Home Office Guidance** 6.2 Home Office guidance is contained in chapter 14 of the document *Firearms Law: Guidance to the Police*. This gives advice on the interpretation of the security conditions with examples of the levels of security which may be considered acceptable in various circumstances. The guidance aims to promote a broadly consistent approach among individual police forces, but also stresses that chief officers will wish to have regard to the individual circumstances in each case.

**Problems Encountered** 6.3 The Committee recognised that this topic was giving rise to the most problems between the shooting community and the police. No minimum statutory requirement for safekeeping is laid down in either the Firearm Rules 1989 or the Guidance to the Police as each case must be considered on its merits. However, the difference in interpretation of the statutory requirements by individual chief officers of police gave cause for considerable concern and even anger.

6.4 We were aware from the substantial evidence received from both shooting organisations and individual users that whilst a number of forces were interpreting the law reasonably and using the Home Office Guidance without difficulty, others out of a concern for public safety were issuing additional guidance notes which were unnecessarily harsh and in some cases unreasonable.



**6.5** The Committee accepted that a definite and widespread problem existed which was substantially damaging relations between the police and the shooting community to the extent that a good deal of mistrust and fear existed in applicants' minds about approaching their local police. Some of these fears were well founded but a closer inspection of the overall problem revealed that the difficulties had been aggravated by reports, both published and oral, based on anecdotes of individual cases without the benefit of knowing all the facts of each case. The Committee kept very much in mind that each case was individual. In considering applications for the grant or renewal of a shot gun certificate the police were required to assess not only the security arrangements of the individual, including the security of premises but also to have a mind to such matters as persons sharing those premises. A proliferation of reports based on incomplete information gave the impression that a huge conflict existed and that all chief officers were acting in excess of their powers. This was not the case. But we accepted that a real problem did exist which required quick and speedy resolution.

**Action 6.6** Accordingly, the concerns of the Committee were relayed to the Associations of Chief Police Officers, (ACPO) and ACPO(S), through the offices of those members involved in their individual capacity with the enforcement of firearms legislation. As a result of this the Committee are aware that representatives from ACPO and ACPO(S) met with representatives of the British Shooting Sports Council and that this contentious area was discussed in depth.

**6.7** The outcome of this discussion has been very positive. It is clear that the police have been concerned by the strained relationships with the shooting community and are taking appropriate steps to improve matters. Reports are now being received of police exercising greater discretion and judgement in individual cases as opposed to laying down blanket arbitrary requirements. More sympathetic consideration by the police has in turn brought about a change in attitude amongst the shooting public.

**British Standards Institute 6.8** During the course of our discussions on this topic the Committee was aware that the British Standards Institute had set up a committee to look at issues relating to secure storage.

**6.9** We understand that it is likely to be some time before a finalised code of practice is produced. Any such code will be a standard of excellence and not of mandatory application.

**6.10** We would wish to take note of any standard produced by the BSI committee and any future developments on this front as part of our continuing programme of work for the coming year.

**Conclusions 6.11** The introduction of the safekeeping requirement is a new experience for many shot gun certificate holders. The Committee concluded that a settling down period was inevitable but matters were likely to get better. We were very much encouraged by the positive response to our concerns by the police which has gone some way to bringing both them and the shooting community closer together in their understanding of the new requirement. *We recommend* that in cases where it is considered that an individual has been harshly treated the matter should be taken up direct with the chief officer of police.

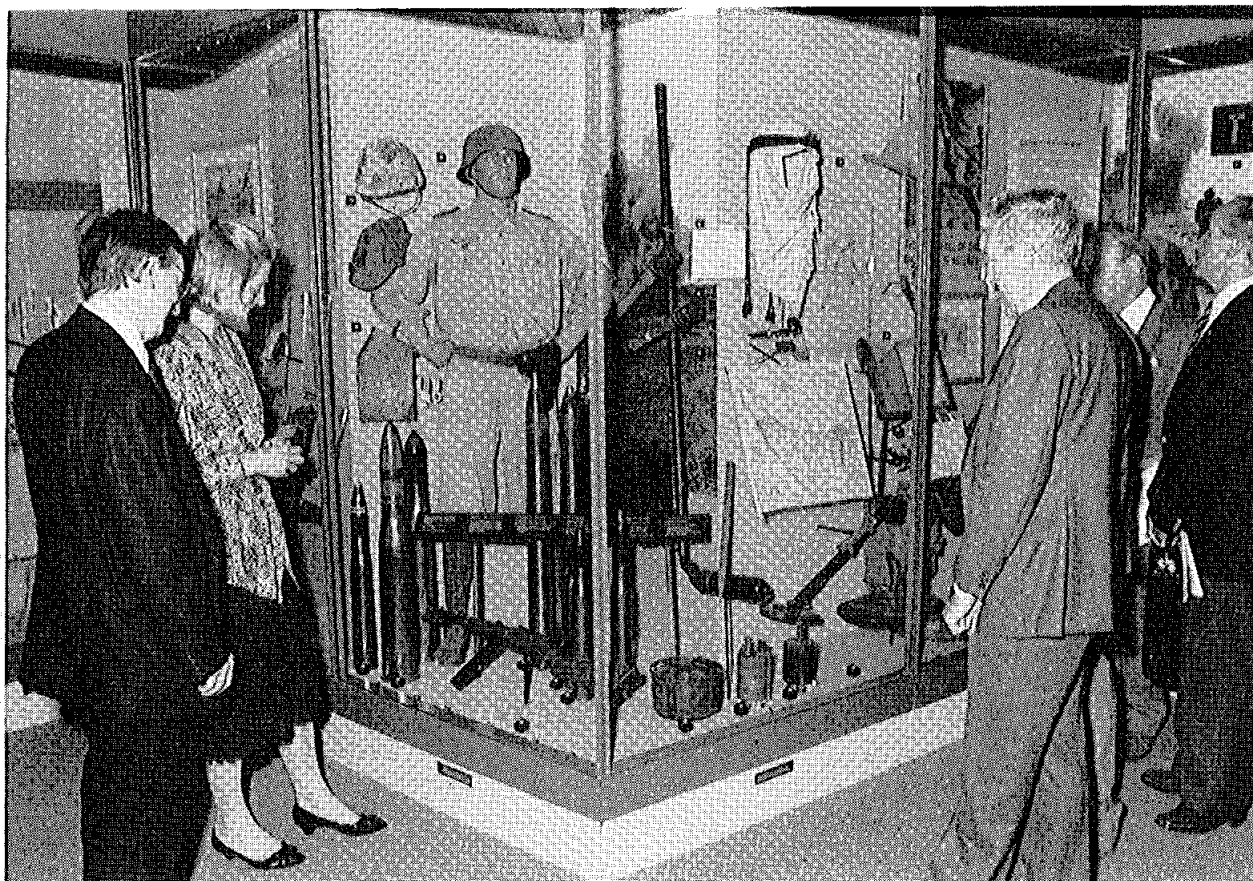


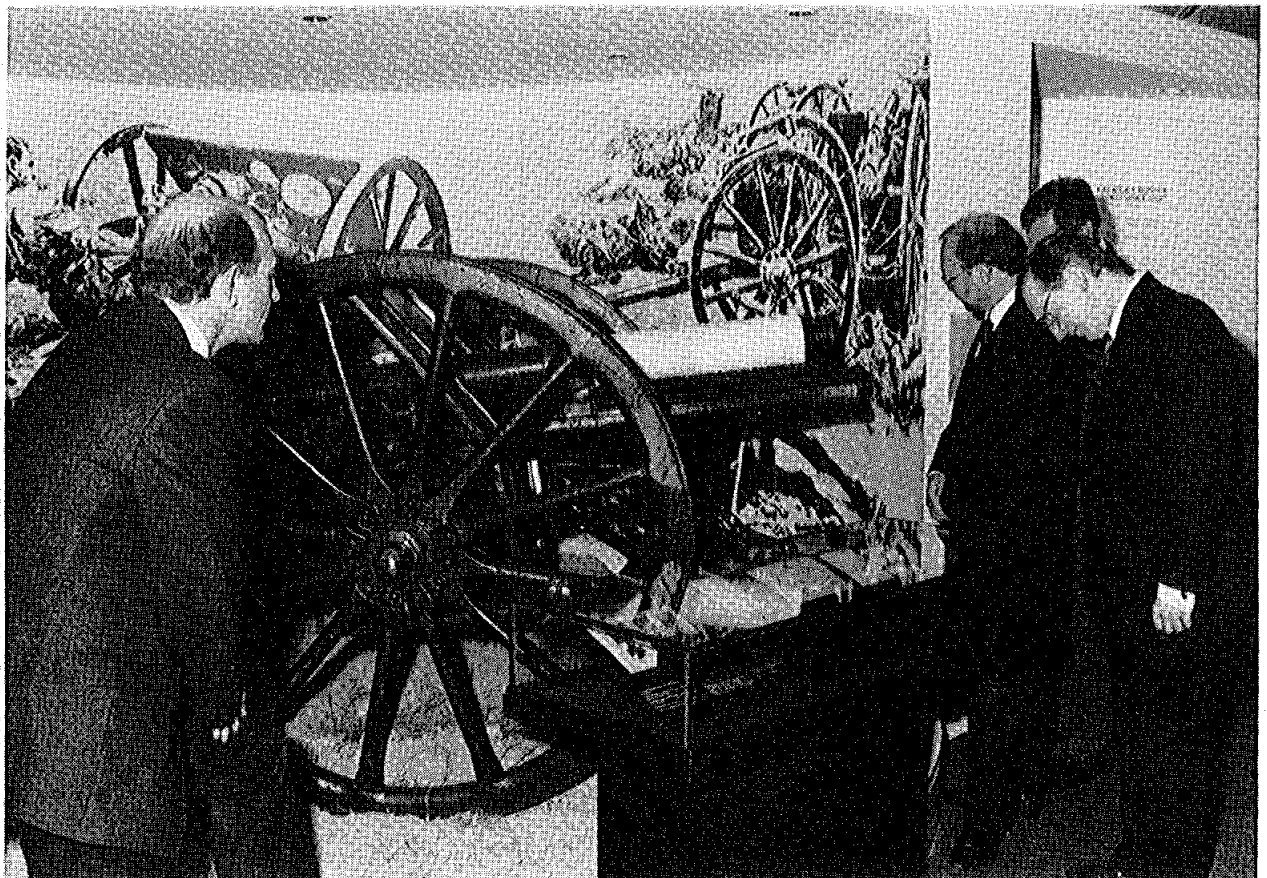
Members of the Committee assemble before the meeting at the Imperial War Museum.



The Chairman (right) is introduced to Dr Borg (centre), Director of the Imperial War Museum, by Mr Penn (left), Keeper of Exhibits and Firearms and member of the Committee.

Members viewing the exhibits at the Imperial War Museum.







---

## CHAPTER 7

### Visitor's Permit Scheme

- Statutory Controls** 7.1 The Firearms (Amendment) Act 1988 set out new requirements for visitors wishing to shoot in Great Britain.
- 7.2 Section 17 of the 1988 Act provides for visitors to Great Britain to be granted firearm permits (for the possession of firearms or the possession, purchase or acquisition of ammunition) or shot gun permits (for the possession, purchase or acquisition of shot guns). It provides for application to be made by a resident as a sponsor on a visitor's behalf, for the making of a group application for up to twenty permits, for a permit to be valid for a maximum period of twelve months, and for the payment of fees for permits (including a reduced fee for six or more permits granted on a group application).
- 7.3 Before granting a visitor's firearm permit, the chief officer of police for the area in which the sponsor resides is required to satisfy himself that the visitor has a good reason for having in his possession the firearm and/or ammunition in respect of which the application is made, and can be permitted to have it in his possession without danger to the public safety or the peace. In the case of a visitor's shot gun permit, the chief officer is required to satisfy himself that the visitor has a good reason for having each shot gun to which the application relates in his possession, or for purchasing or acquiring it, and can be permitted to have the shot guns(s) in his possession without danger to the public safety or the peace.
- 7.4 Prior to the introduction of the Scheme, the main control on visitors was provided under section 14 of the Firearms Act 1968. This enabled a person who had been in Great Britain for less than a total of thirty days in the preceding twelve months to possess, purchase or acquire a shot gun without holding a shot gun certificate. This section which did not extend to weapons or ammunition falling within section 1 of the Act, was repealed with the introduction of the Visitor's Permit Scheme.
- Home Office Guidance** 7.5 Chapter 9 of the Home Office document *Firearms Law: Guidance to the Police* contains detailed advice on the operation of the Scheme. A publicity leaflet has also been produced by the Home Office and circulated to major shooting organisations and to British Embassies abroad.
- Problems Encountered** 7.6 The Committee was conscious that the Scheme was very much in its infancy. As with all new Schemes it was likely to have teething problems and take time to settle in. Nevertheless, we felt it was important to establish at an early stage the nature and extent of any difficulties that were arising.

7.7 The Scheme was intended to exert only a moderate control and to cause the minimum inconvenience to visitors. We decided, therefore, to examine whether the system is operating efficiently and, in particular, whether it is deterring genuine sportsmen from visiting Great Britain.

7.8 Looking first at the operation of the Scheme, we were aware that concern was being expressed over the length of time being taken by the police to issue permits. This was seen as a particular problem for visiting teams of sportsmen and marksmen where a final selection may only be made at the last moment. Delays had been exacerbated in a small number of cases by details on the application form and supporting documentation being supplied in a foreign language. These had to be translated before the application could be processed.

7.9 Whilst acknowledging the inconvenience and anxiety caused by delays, this was not seen as an insurmountable problem but one likely to resolve itself as the Scheme bedded in. Indeed we understand that turnaround times in many forces are improving since the introduction of the Scheme but that an element of delay is inevitable.

7.10 Another area of concern was the validity period of permits. Differing views had been expressed on this point. One view was the permits should be issued only for limited periods and not for the full twelve months for safety reasons. The conflicting view was that permits should be issued valid for the period requested by the visitor. This was advocated by its supporters as avoiding duplication of procedures and thereby easing the burden on the police.

7.11 The suggestion was put forward during our deliberations on the validity period of permits, that provision should be made for regular visitors to be granted a permit valid for a period not exceeding three years. The Committee intends to look at the question of whether the life of a visitor's permit could be extended to three years without loss to public safety as part of our continuing programme of work.

7.12 Other issues highlighted during our discussions were the effect of the scheme on police resources, and the fee charged for grant of a permit for individual and group applications. The Committee felt that these issues could only properly be considered once the results of the studies into firearms licensing procedures and costs being carried out by the Association of Chief Police Officers were made known. The Committee also considered whether it would be preferable for visitor's firearm and shot gun permits to be amalgamated into



a single permit. However, it was considered that this would result in a complex and confusing form and the matter was not pursued.

**7.14** We were also aware that problems were being encountered due to differing interpretations of the definition of a shot gun as given on the application forms. Applications had been received for a shot gun permit for large magazine smooth-bore guns with the magazine fitted only with temporary restrictors. Such weapons require a firearm permit as they do not fully meet the definition of a shot gun as laid down by section 2(2) of the Firearms (Amendment) Act 1988. This was causing confusion and inconvenience not the least being when visitors arrived in this country holding a shot gun permit but in possession of a weapon requiring a firearm permit.

**7.15** Another area of concern raised with the Committee was that there was no provision within current legislation for a permit to be revoked. We recognised that this could cause difficulties as there may be occasions when a chief officer would wish to revoke a visitor's permit on grounds of public safety. Similarly, there was no provision for a fee to be levied for a replacement permit. A fee is currently levied for replacement of a firearm or shot gun certificate. We see no grounds to suggest that a visitor should be treated more favourably in this matter.

**Channel Islands** **7.16** Amongst the representations received by the Committee on this topic were a number about the requirement for visitors from the Channel Islands to obtain a permit under the British Visitors Permit Scheme. It was suggested that an exception should be made to enable a certificate issued within the Channel Islands to be recognised ipso facto within Great Britain. We looked most carefully at the position and status of the Islands taking into account their independent constitutions and legislation. Whilst appreciating the concerns and reservations expressed by these representations, the Committee feels unable to pursue the matter until such time as the Islands' firearms legislation is in line with that of Great Britain.

**Conclusions and Recommendations** **7.17** We were conscious throughout our discussions that the British Visitors Permit Scheme which came into effect on 1 October 1989 has been in operation for less than a year. Many of the problems being encountered, particularly those of an administrative nature, are teething problems which are likely to resolve themselves as the scheme beds in.

**7.18** We concluded that the primary purpose of the Scheme is the assessment of the suitability of the visitor rather than the location of the visit. Accordingly, *it is the consensus of the Committee* that unless there is good reason for the chief officer of police to act otherwise a visitor's permit should, in general, be issued for a period of 12 months. This should minimise any inconvenience to the visitor whilst at the same time ease the administrative burden on the police. Furthermore, to avoid unnecessary delays in the processing of applications *we recommend* that the sponsor, as the applicant under section 17 of the 1988 Act, should ensure that where possible all details and supporting documentation are provided in English.

**7.19** As with the introduction of any new scheme, an element of confusion is often present. We feel this initial confusion has been exacerbated to a certain degree by the definition of a shot gun as given on the application forms. Experience has shown that this is open to misinterpretation. *The Committee recommends* that the definition of a shot gun given on the application forms should be clarified and expanded to make clear that a large magazine smooth bore gun fitted only with temporary restrictors requires a firearm permit. As the application forms are prescribed, this will require an amendment to the Firearms Rules 1989. Until such time as a revision to the current rules is contemplated by which this amendment can be made, *we further recommend* that a covering letter should be sent by the police with each application form clarifying the definition of a shot gun.

**7.20** The Committee is concerned on grounds of public safety that no provision exists within current legislation for revocation of a visitor's permit. *We recommend* that this omission should be rectified in future legislation. At such time provision should also be made for a fee to be charged for a replacement permit.

---

## CHAPTER 8

### Other Issues

**Fees** **8.1** During our first year the way in which firearms controls are being administered has featured prominently in the Committee's discussions. This subject is, of course, directly connected with that of fees in view of the policy of successive Governments that the costs of a licensing system should be fully recovered through fees. The Committee took great interest, therefore, in the laying before Parliament on 27 February 1990 of the Firearms (Variation of Fees) Order.

**8.2** We were given advance warning of the Government's intention to introduce this interim measure to increase fees. Our views on the subject were expressed by the Chairman during a debate on the Order in the House of Lords on 23 March 1990 when he said:

“... it [the Committee] felt most strongly that the concerns of the shooting community about the level of fees should be put on record and that the reasons and justifications for the increase should be clearly explained. After all, members of the shooting community must bear the burden of the increase”.

**8.3** We intend to look at the issue of fees further in conjunction with the results of the two studies into firearms licensing procedures and costs being carried out by the Association of Chief Police Officers and management consultants on behalf of the British Association for Shooting and Conservation. As such we look to be consulted and closely involved in all the processes of these reviews. As the Chairman made clear during the same speech:

“we regard these studies and the advice of the Committee as being complementary to each other. Together they can go towards achieving the objective of all those concerned. That is the most effective, efficient and safe way of operating the firearms legislation”.

**Length of Certificates** **8.4** Our discussions on fees raised in turn the subject of the validity period of firearm and shot gun certificates. Under the Firearms Acts 1968 to 1988 these are currently issued for a maximum period of 3 years. We shall give careful thought to the question of whether the validity period of a firearm or shot gun certificate might be extended beyond three years, without any loss to public safety.

**Computerisation of Dealers' Registers** **8.5** Under section 40(1) of the Firearms Act 1968 a registered firearms dealer is required to keep a register of transactions and to enter into it certain specified details of all transactions which he undertakes. The form of the register is prescribed by the Firearms Rules 1989.

**8.6** The prescribed form for dealer's registers was drawn up at a time when all registers were kept in a manual form. However, in recent years problems have arisen as a result of the increasing trend towards the use of computerised registers.

**8.7** These problems have been brought to the attention of the Committee. We have decided, therefore, to examine this issue with a view to resolving the problems that have come to light and to advising on whether it is appropriate for records to be maintained solely on computer. This matter remains to be considered by the Committee at a later date.

**EC Directive** **8.8** With the approach of 1992 and the single market, the European Commission has produced a proposal for an EC Directive on the Control of the Acquisition and Possession of Weapons.

**8.9** The aim of the proposal is to abolish checks on the possession of weapons at internal borders, to intensify controls at external borders and, in respect of firearms to replace such checks by the introduction of compensatory measures, including partial harmonisation of the level of firearms controls in Member States.

**8.10** The Committee has taken note of this proposal and the effect it will have on existing controls. We are looking in particular at the implications for the Visitor's Permit Scheme of the special provision for visiting marksmen and sportsmen. The proposal is of a complex nature and it is too early yet to give any firm advice on it. The proposal may not be accepted either in its present form or, indeed, at all.

**Estate Rifles** **8.11** We decided this should be treated as a separate issue to be considered in depth during our second year.

**8.12** From our discussions on the Visitor's Permit Scheme the Committee became aware that difficulties are arising over the interpretation of the exemption from certificate control provided under section 16 of the Firearms (Amendment) Act 1988.

---

## **CHAPTER 9**

### **Forward Look**

**9.1** This report covers the first year's work by the Firearms Consultative Committee. It has been a strenuous year and a lot of ground has been covered.

**9.2** The Committee is the embodiment of a long cherished wish of the shooting community to have a national forum in which its concerns can be fully discussed and conveyed to the Home Secretary. We have been conscious throughout the year, therefore, of the considerable expectations the shooting community has of the Committee. The purpose of the Committee is to bring the various interests together to establish a better understanding all round of the different perspectives which can be brought to bear on firearms controls. It is also a formal statutory means through which the concerns and proposals of these various interests can be expressed. We have endeavoured to respond to this enormous challenge by aiming to improve the position of the shooting public and police alike.

**9.3** However, to believe that the Committee can overcome all difficulties, put right all perceived wrongs and resolve all apparent anomalies to the satisfaction of all is to labour under an illusion. No doubt some of the advice we offer will not be to everyone's liking.

**9.4** Work on many of the topics already mentioned will continue into our second year. In addition, we will be seeking to incorporate into our programme of work some of the topics remaining on the original list as well as other immediate or pressing issues brought to our attention.

**9.5** Our job has just begun. We have a lot of valuable work to do and only with the wholehearted support of all interested parties will we be in a better position to achieve our aim. With this support the Committee has it within its grasp to become the most important forum for the discussion of firearms controls in this and the next century.

---

## CHAPTER 10

### Summary of Recommendations

#### Chapter 3: Approved Rifle and Pistol Clubs

The Committee recommends that:

- provision should be made for any person who wishes to join an approved rifle or pistol club as a probationer to receive initial instruction as a notice member on no more than four occasions a year in the safe use of firearms only (paragraph 3.14)
- the instruction given to a novice member should be under the direct personal charge of a club member of not less than two years full membership experience (paragraph 3.14)
- a novice member should have no access to ammunition (paragraph 3.14)
- approved rifle and pistol clubs should be permitted to hold guest days on no more than four occasions a year (paragraph 3.15)
- limited numbers of people known to the club should be invited in person by the club secretary to attend guest days as guest members so that their suitability to become probationary members and handle and use firearms and ammunition can be properly assessed (paragraph 3.15)
- clubs should give reasonable notice of the proposed guest days to their local chief officer of police (paragraph 3.15)
- the two sponsors of an applicant for probationary membership should be one full member of the club which the applicant wishes to join and one person who knows the applicant personally (paragraph 3.17)
- the correct terminology should be used when referring to rifle and pistol clubs (paragraph 3.22) and future issues of the Home Office leaflet should take this into account.
- national shooting organisations to which approved rifle and pistol clubs are affiliated should draw up appropriate standards of instructions in the safe handling of firearms and ammunition (paragraph 3.26)
- such standards of instruction should be disseminated to all clubs (paragraph 3.26)
- the expression “target practice” as used in section 15 of the Firearms (Amendment) Act 1988 should be taken to embrace all forms of competitive shooting (paragraph 3.34)

#### Chapter 4: Countersignatures

The Committee recommends that:

- no class or category of persons should be automatically excluded from being considered a person of some standing in the community to act as a countersignatory (paragraph 4.7)

- flexibility should be used in the interpretation of the definition of a countersignatory (paragraph 4.8)
- where an apparent inconsistency occurs in the interpretation of the definition the person concerned writes to the chief officer of police for an explanation (paragraph 4.8)

**Chapter 6: Safeguarding of Firearms and Shot Guns**

The Committee recommends that:

- when assessing the appropriate level of security each case should be considered on its individual merits (paragraph 6.3)
- no blanket requirements on secure storage should be imposed (paragraph 6.3)
- where it is considered that an individual has been harshly treated the matter should be taken up direct with the chief officer of police (paragraph 6.11)

**Chapter 7: Visitor's Permit Scheme**

The Committee recommends that:

- a visitor's permit should, in general, be issued valid for a period of twelve months unless there is good reason to decide otherwise (paragraph 7.18)
- all details on the application form and supporting documentation should be provided in English (paragraph 7.18)
- the definition of a shot gun given on the application forms should be clarified (paragraph 7.19)
- until such time as clarification of the definition of a shot gun on a visitor's permit takes place a covering letter should be sent out with all application forms explaining the definition (paragraph 7.19)
- provision should be made within firearms legislation for revocation of a visitor's permit and the charging of a fee for a replacement permit (paragraph 7.20).

## ANNEX A

### *Firearms (Amendment) Act 1988*

**Firearms consultative  
committee**

1982 c.31

**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 twelve 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 principal 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.



## ANNEX B

### Biographies of members relevant to their appointment to the Committee

- Mr R Balfour Member of the Red Deer Commission since 1984. Has run a sporting shoot for 10 years and has organised and run various clay pigeon shoots for charitable purposes.
- Dr A Barnard Twenty years experience in the defence industry including two years as Technical Director of Royal Ordnance Guns and Vehicles.
- Mr A E Clarke Served in Regular Army as apprentice and Armourer 1937–62. Civil Service Instructional Officer (Weapons) 1962–73. Chief Inspector Small Arms Kenya Police 1968–73. Retail gunsmith 1973 to date. Represented Regular Army in Inter-Services Matches. Represented Great Britain at Target Rifle Shooting as shooter, coach and Captain. Represented Scotland in 3 Commonwealth Games. Gold Medallist in 1982. Member of National Rifle Association Council and Executive Committee 1987–90.
- Mr P J Clarke Barrister, Fellow and Tutor in Law and formerly Estates Bursar, Jesus College, Oxford. Co-author of “*The Law Relating to Firearms.*”
- Mrs S Cooper Member of the Great Britain shooting team from 1975 to 1989 in the UIT disciplines of 10 metre crossbow, 10 metre air rifle, 50 metre prone and 3-position rifle, 300 metre prone and 3-position rifle. Competed in European, World and Olympic events, with medals at all levels except Olympic. Current holder of four British records.
- Mr D J Crawley Assistant Secretary Scottish Home and Health Department. Head of Police Division. Formerly Principal Private Secretary to the Secretary of State for Scotland.
- Mr D E J Dracup Solicitor. Chief Crown Prosecutor for South London and Surrey. Formerly Chief Crown Presecutor for Northumbria and Durham.
- Mr K Drummond QC. Formerly Advocate-Deputy and presently member of the Criminal Injuries Compensation Board. Former Council member UK Practical Shooting Association (UKPSA). Competed in pistol competitions in UK and abroad. Participates in sporting shooting. Member of British Association for Shooting and Conservation, and British Field Sports Society.
- Mr J B Florentine Commissioned in Army and represented Far East Land Forces in major shooting competitions. Joined Metropolitan Police in 1952 and appointed Authorised Firearms Officer. Competed in small bore rifle and pistol competitions. Administering firearms legislation since 1975. Member of the Association of Chief Police Officers Standing Committee on the Police Use of Firearms.

- Mr B Ford Deputy Lieutenant, West Yorkshire. Member of Parliament for Bradford North 1964–83. Vice President of National Rifle Association and British Association for Shooting and Conservation. Chairman of English Shooting Council. Shoots rifle and pistol. National Rifle Association representative to NE Military District Gunmakers Livery. Chairman Central and Southern Regional Committees, Bradford and Northern Housing Association.
- Mr J L Goddard Head of F8 Division, Home Office.
- Mr B G Hughes Director, Firearms and External Services, British Association for Shooting and Conservation. Former Colonial police officer, followed by 19 years wildlife management, administration, research, safari and control work in Rhodesia (Zimbabwe). Former Senior Game Officer Ministry of Internal Affairs. Held full professional hunters licence. Presently member of two British Deer Society Committees, the Deer Liaison Committee and the British Shooting Sport Council. Affiliated member of the Institute of Biology. Extensive big game hunting experience in Africa, also deer stalking and country shooting with small-bore rifle and shot gun in Britain.
- Mr I Oliver Chief Constable, Central Scotland Police.
- Mr D J Penn Keeper, Exhibit and Firearms, Imperial War Museum. Fellow of the Society of Antiquaries. Freeman of the Worshipful Company of Gunmakers. Office holder in National Pistol Association, Muzzle Loaders Association of Great Britain and Historical Breechloading Smallarms Association. Member, 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 Special Investigation Branch, Royal Military Police to 1984. Branch Proof Master, The Worshipful Company of Gunmakers, Royal Small Arms Factory, Enfield to 1986. Proof Master, The Worshipful Company of Gunmakers, London, and head of British delegation to the Commission of International Proof. Pistol shot and rough shooter.
- Dr G D Renshaw Head of Firearms Department, Forensic Science Laboratory, Huntingdon.
- Mr P B Roberts Chairman and Chief Executive of John Rigby & Co Gunmakers. Chairman, Gun Trade Association 1986. Member of Worshipful Company of Gunmakers 1980. Member of Game Conservancy, British Deer Society and Safari Club International, Shikar Club. Experience in big game hunting in Africa and Asia, deer stalking in Scotland and England, all types of game shooting in Britain and on the Continent.

**Mr J R Ward** Involved with ballistics whilst serving in the Armed Forces (RASC, RE, RA, RAF, REME). Ran family gun business for 36 years. Held various offices in the Clay Pigeon Shooting Association. Currently President of the Association. Chairman of Bisley Gun Club. Member of the British Shooting Sports Council and of the Gun Trade Association.

## ANNEX C

### List of topics from which programme of work was drawn

Firearms Law: Guidance to the Police

Fees

\*Safekeeping of shot guns and firearms

Antique weapons

\*Visitors permit scheme

\*Definition of target practice in section 15 of the Firearms (Amendment) Act 1988

Good reason for possession of a shot gun

\*Countersignatures

Day membership of clubs

Specifications for the Adaptation of Shot gun Magazines

Purchase of shot gun ammunition

Numbering of unmarked guns

\*Large magazine smooth bore guns for clay pigeon shooting

Restrictions on the amount of home loaded ammunition

Definition of a component part

Definition of lethality

Minimum age for the possession of a firearm or shot gun

\*included in programme of work for 1989/90.

## ANNEX D

### **News Release Firearms Consultative Committee programme of work for 1990**

Lord Kimball, Chairman of the Firearms Consultative Committee, today announced the Committee's programme of work for the coming year.

In addition to any matters referred to it by the Home Secretary for advice, the Committee will be giving detailed consideration to a number of varied subjects listed below. The Committee will also take on board for consideration any matters raised by shooting organisations and members of the public which disclose major issues of national importance to the shooting community.

#### **Programme of work**

Safekeeping of shotguns and firearms  
Visitor's permit scheme  
Definition of target practice in section 15 of the 1988 Act  
Countersignatures  
Large magazine smoothbore guns for clay-pigeon shooting  
Gun clubs

Anyone wishing to make representations to the Committee should address these in writing to the Secretary to the Firearms Consultative Committee, 50 Queen Anne's Gate, London SW1.

In announcing the programme of work Lord Kimball said:

"The Committee has set itself a strenuous year's work, the outcome of which will be reflected in its first annual report. Those areas chosen for discussion are all important topics which are close to the heart of all involved with the shooting community. Our task is to look at these with a view to resolving the difficulties which come to light so that the public has confidence that guns are being held both safely and responsibly".

#### **Notes to Editors**

1. The Firearms Consultative Committee is a new statutory advisory body established under section 22 of the Firearms (Amendment) Act 1988. The purpose of the Committee is to bring together various areas of expertise—those responsible for policing and administering the firearms controls, together with experts in weapon technology and dealing in firearms, and in the professional, sporting and recreational use of guns. Its function will be to review the working of firearms legislation and make recommendations to the Home Secretary for improving or changing it. It will also advise the Home Secretary on any other matter he may refer to it.

2. The Home Secretary announced the appointment of Lord

Kimball as Chairman of the Committee on 25 May, and the appointment of members on 14 September.

3. The members are:

Mr R Balfour	(Red Deer Commission)
Dr A Barnard	(Technical Director, Royal Ordnance)
Mr A E Clarke	(Retail Gunsmith)
Mr P J Clarke	(Fellow & Tutor in Law, Jesus College)
Mrs Sarah Cooper	(British Olympic rifle competitor)
Mr D Dracup	(Crown Prosecution Service)
Mr K Drummond	(Queen's Counsel)
Mr B Florentine	(Deputy Chief Constable, West Mercia)
Mr B Ford	(Vice-President, National Rifle Assn.)
Mr J L Goddard	(Home Office)
Mr B Hughes	(Firearms Office, British Association for Shooting and Conservation)
Mr K McKay	(Scottish Home & Health Dept.)
Mr I Oliver	(Chief Constable, Central Scotland Police)
Mr D J Penn	(Keeper, Imperial War Museum)
Mr R J Pitcher	(Proof Master, London Proof House)
Mr P Roberts	(London Gunsmith)
Dr G D Renshaw	(Forensic Science Service)
Mr J R Ward	(Chairman, Clay Pigeon Shooting Assn.)

4. A photograph of the Committee is available on request from the Home Office Press Office.

## ANNEX E

### **News Release Firearms Consultative Committee: Home Office approved gun clubs**

Lord Kimball, Chairman of the Firearms Consultative Committee, today announced the advice which the Committee has given to the Home Secretary about his proposals for tighter controls on approved target shooting clubs.

In announcing its recommendations, Lord Kimball said:

“The Firearms Consultative Committee recognised that the vast majority of approved clubs conduct their activities in a responsible way but there is a need to ensure that those activities are carried out with proper regard to the safety of the public and of the members of the clubs themselves. Where we have felt unable to endorse the Home Secretary’s proposals we have sought to give a sensible and practical alternative which would not weaken in any way public safety.”

The Committee has endorsed the Home Secretary’s proposals that probationary members of an approved club must be under constant personal supervision by a range master of a club or a full member of a club who holds a firearms certificate. In accepting that probationary members should be given a course of regular instruction in the safe use of guns during their period of probation of not less than six months duration, the Committee considered the nature and standard of instruction given to be extremely important. The Committee proposes to look at this aspect as a matter of urgency as part of their on-going programme of work and to give further advice to the Home Secretary.

The Committee also endorsed the Home Secretary’s proposals about the ratio of full and probationary membership of clubs, providing that sympathetic consideration is given in these and other exceptional circumstances where difficulties for individual clubs arise. It also saw no difficulty for club members who hold their own individual firearm certificates being able to continue to visit other clubs freely provided that the range used by that club has a safety certificate for the class of firearm the visitor was authorised to possess.

The Committee did not feel able to endorse fully the Home Secretary’s proposals with regard to a ban on day or temporary membership. On grounds of public safety the Committee accepted that uncontrolled day or temporary membership was not justified. But it considered that provision should be made for any person who wished to join an approved club as a probationer to receive initial instruction as a novice member

on no more than four occasions a year in the safe use of *guns only*, at the discretion of a responsible officer of the club.

This instruction should be under the direct personal charge of a club member of not less than two years full membership experience who would be in charge of any firearm used in such instruction. A novice member would have no access to ammunition.

In addition, the Committee recommended that clubs should be permitted to hold guest days on no more than four occasions per year, when limited numbers of people known to the club could be invited in person by the club secretary to be guest members so that their suitability to become probationary members and handle and use guns safely could be properly assessed. Clubs should be required to give reasonable prior notice of the proposed guest days to their local chief officer of police who have statutory powers of inspection under the Firearms (Amendment) Act 1988.

The Committee also considered the proposed sponsorship test to join an approved club as a probationary member too onerous. The Committee considered that the main purpose and value of the sponsorship test lay in the person concerned being able to make an informed judgement, so far as he reasonably could about an applicant's attitude towards guns, and whether such a person was a responsible and proper person to be entrusted with such weapons.

Accordingly, the Committee has recommended to the Home Secretary that the two sponsors should be one full member of the club which the applicant wishes to join and one person who knows the applicant personally.

- Notes to Editors**
1. On 14 November 1989 the Home Secretary announced a number of proposals concerning the criteria applied to the approval of gun clubs. These proposals were referred to the Firearms Consultative Committee for advice.
  2. The Firearms Consultative Committee is a new statutory advisory body established under section 22 of the Firearms (Amendment) Act 1988. The purpose of the Committee is to bring together various areas of expertise—those responsible for policing and administering the firearms controls, together with experts in weapon technology and dealing in firearms, and in the professional, sporting and recreational use of guns. Its function will be to review the working of firearms legislation and make recommendations to the Home Secretary for improving or changing it. It will also advise the Home Secretary on any other matter he may refer to it.



## ANNEX F

### Summary of Law on Possession of Firearms

1. The main instrument is the Firearms Act 1968 as amended by the Firearms (Amendment) Act 1988 and supplemented by the Firearms Act 1982 in relation to imitation weapons. The 1968 Act consolidated various Acts extending from the first Firearms Act of 1920, prior to which there was effectively no control on the possession of firearms, to the section of the Criminal Justice Act 1967 which introduced controls on shot guns. The Firearms Acts outline a series of graded controls over the acquisition and possession of various types of firearms.

#### **Prohibited Weapons**

2. These are covered by section 5 of the 1968 Act as amended by section 1 of the 1988 Act. These are automatic weapons, such as machine guns; burst fire weapons; self-loading or pump action rifles (other than those chambered for .22 rim fire cartridges); self-loading or pump action smooth-bore guns (other than those so chambered) with a barrel length of less than 24 inches or an overall length of less than 40 inches; smooth-bore revolver guns (other than those chambered for 9 mm rim fire cartridges or muzzle loaded); rocket launchers and mortars; and weapons designed for the discharge of noxious substances including tranquillising equipment. A special authority from the Secretary of State for the Home Department is required for their manufacture, sale, acquisition or possession. The authority is only issued after careful enquiries by the police. Private individuals are not normally allowed to possess them.

#### **Rifles, Pistols, Short Barrelled and Large Magazine Smooth-Bore Guns and Specially Dangerous Air Weapons**

3. These are known as section 1 firearms. A firearm certificate issued by the chief officer of police is required for the acquisition or possession of these weapons. The chief officer must be satisfied that an applicant for a certificate has a good reason for wanting the weapon and is fit to be entrusted with it, and that the public safety or the peace will not be endangered. Conditions may be attached to the certificate: one of the standard ones requires weapons and ammunition to be kept in a secure place when not in actual use. There is a right of appeal to the Crown Court (the Sheriff in Scotland) against the refusal to grant or renew a certificate.

#### **Shot Guns**

4. These are dealt with under section 2 of the Firearms Act 1968. Since 1968 a shot gun certificate has been required for the acquisition or possession of long barrelled shot guns (those with a barrel of 24 inches or more in length). Section 2 of the Firearms (Amendment) Act 1988 redefined a shot gun as a smooth-bore gun which has a barrel not less than 24 inches in length and a bore not exceeding 2 inches in diameter and either has no magazine or a non-detachable magazine incapable of holding more than two cartridges. Except in the

case of persons who are prohibited under the 1968 Act from possessing firearms of any kind (paragraph 6 refers) a shot gun certificate may be refused by a chief officer of police only if he is satisfied that the applicant cannot be permitted to possess a shot gun without danger to the public safety or the peace, or does not have a good reason for possessing a shot gun. There is a right of appeal to a Crown Court (Sheriff in Scotland) against refusal to grant or renew a certificate. A certificate authorises the possession of an unlimited number of shot guns but details of each shot gun must be entered on any shot gun certificate issued after 1 July 1989. All certificates issued after that date also include a condition that the weapons held by virtue of the certificate are kept securely when not in actual use.

**Air Weapons** 5. Except for air weapons classified as specially dangerous by the Firearms (Dangerous Air Weapons) Rules 1969, these are not subject to certificate control, although there are restrictions on their possession and use by young people under 17.

**General Prohibition** 6. The Firearms Act 1968 specifically prohibits the possession of firearms by a person who has been sentenced to any form of custody; for life if the sentence was three years or more, for five years if it was between three months and three years.

**Exemptions** 7. The Firearms Acts also provide for a number of special exemptions from the certificate requirement. The more important ones are that a member of a rifle and pistol club approved by the Secretary of State may possess firearms and ammunition without holding a personal firearm certificate when they are engaged as club members in, or in connection with, target practice. Similarly, members of an approved cadet corps do not need a firearm certificate to possess firearms and ammunition when engaged in, or in connection with, drill or target practice. A person running, or using, a miniature rifle range with either rifles and ammunition not exceeding .23 calibre, or air weapons may do so without a certificate. Also exempt from the certificate requirement are antique firearms which are kept as curiosities or ornaments. Furthermore, a firearm or shot gun certificate is not required for the possession or acquisition of a firearm which has been deactivated so that it is incapable of discharging any shot, bullet or other missile.

**Dealers** 8. The 1968 Act as amended by the 1988 Act provides that a person who deals in firearms or ammunition by way of trade or business must be registered with the police as a firearms dealer and must keep detailed records of his transactions for at least five years for inspection. The chief officer of police may refuse to register an applicant unless he is satisfied that they

will engage in business as a firearms dealer to a substantial extent or as an essential part of another trade, business or profession. Registration can also be refused if the chief officer is not satisfied that the applicant could be permitted to carry on business as a dealer without danger to the public or the peace. There is a right of appeal against refusal.

**Penalties** 9. The Act lays down heavy penalties for criminal use of firearms. The maximum penalties for the principal offences under the Act are as follows:

Section 16 life imprisonment	possession of a firearm with intent to endanger life or property
Section 17(1) life imprisonment	use of firearms to resist arrest
Section 17(2) life imprisonment	possessing a firearm while committing a scheduled offence
Section 18(1) life imprisonment	carrying a firearm (or an imitation) with intent to commit an indictable offence or resist arrest
Section 19 5 years imprisonment	carrying a loaded firearm in a public place

## ANNEX G

### **Organisations and other interested parties who have submitted representations**

1. Association of Chief Police Officers Crime Committee
2. Association of County Councils
3. The British Association for Shooting & Conservation
4. British Deer Society
5. The British Shooting Sports Council
6. British Womens Pistol Association
7. The Clay Pigeon Shooting Association
8. D J Litt (Firearms) Ltd
9. Dorset Police
10. Greater Manchester Police Authority
11. The Guernsey Association for Shooting and Conservation
12. The Guernsey Rifle Club
13. The Handgunner Ltd
14. The National Pistol Association
15. National Rifle Association
16. National Small-Bore Rifle Association
17. North Wales Police
18. Pennine Shooting Sports Association Limited
19. Right Sights Worldwide Limited
20. Scottish Home and Health Department
21. Scottish Pistol Association
22. The Sheffield Association of Shooting Clubs
23. The Shooters' Rights Association
24. The Shooting Sports Trust Limited
25. Shooting Times & Country Magazine
26. South Wales Joint Council of Wild Fowling and Shooting Association
27. South West Region Pistol Association
28. Staffordshire Small-Bore Rifle Association
29. Thornlands Shooting Centre Limited
30. Warwickshire Shooters Liaison Committee

In addition, the Committee has received a large number of representations from individuals.

## ANNEX H

### List of Publications referred to in Report

Firearms Act 1920	HMSO ISBN 0 10 8504107
Criminal Justice Act 1967	HMSO ISBN 0 10 8503437
Firearms Act 1968	HMSO ISBN 0 11 802339
Firearms Act 1982	HMSO ISBN 0 10 5431826
Firearms (Amendment) Act 1988	HMSO ISBN 0 10 5445886
Firearms (Dangerous Air Weapons) Rules 1969	HMSO ISBN 0 11 0900472
Firearms Rules 1989	HMSO ISBN 0 11 0968549
Firearms Law: Guidance to the Police	HMSO ISBN 0 11 3409036





HMSO publications are available from:

**HMSO Publications Centre**

(Mail and telephone orders only)

PO Box 276, London SW8 5DT

Telephone orders 071-873 9090

General enquiries 071-873 0011

(queuing system in operation for both numbers)

**HMSO Bookshops**

49 High Holborn, London, WC1V 6HB 071-873 0011 (Counter service only)

258 Broad Street, Birmingham, B1 2HE 021-643 3740

Southey House, 33 Wine Street, Bristol, BS1 2BQ (0272) 264306

9-21 Princess Street, Manchester, M60 8AS 061-834 7201

80 Chichester Street, Belfast, BT1 4JY (0232) 238451

71 Lothian Road, Edinburgh, EH3 9AZ 031-228 4181

**HMSO's Accredited Agents**

(see Yellow Pages)

*and through good booksellers*