

The House of Commons Public Bill Committee

Offensive weapons Bill

For consideration on July 17th 2018 & subsequent meeting dates

From

Dr Keith M Pearson

Tuesday, 03 July 2018

To the Honourable Members of the Public Bill Committee

Declaration – I am a lawful owner of two Lever Release firearms and two Marlin rifles

I am writing to submit my views and evidence to the committee and trust that these comments will inform the right decision on the proposal to further restrict legitimate firearms ownership by UK residents.

I should perhaps initially state that it is unclear if the intention of the Home Secretary is to prevent the theft, and unlawful use of these firearms, as opposed to an individual obtaining a firearms certificate and obtaining these firearms through a registered firearms dealer. One would assume that individuals with criminal or terrorist backgrounds would have their application for a firearm certificate rejected

This document will therefore consider that the Government proposals to remove the legitimate use of either .50cal, Lever Release or MARS firearms to prevent the unlawful acquisition by criminals or terrorists as a result of theft from a licensed holder.

Background

Members of the public and Members of the House of Commons are constantly reminded that knife and gun crime is increasing (20 and 11%) respectively. Clearly, these are worrying statistics and action needs to be taken to prevent this. What is never stated is that gun crime is NOT committed by lawful firearms holders. This may be intentional or it may be due to media lack of detail. The consequence of this is that legitimate firearms holders are seen as "fair game" by media and politicians – inferring reducing the number of firearms in the community – will reduce the incidence of gun related crime. One might say that this is political / media "spin" to justify this proposed legislation.

To date there has been no published evidence that any of these (proposed ban) firearms have been stolen or acquired unlawfully and used in the commission of a crime or terrorist activity. This of course does not mean that this could not happen, the proposal of the Home Secretary is to ban these firearms to prevent this (already highly unlikely) event. It is important to consider what actions could be taken to further reduce this unlikely event.

Members of the Committee will undoubtedly be aware of the banning of handguns by the former Prime Minister (Tony Blair), this measure has had no impact on the numbers of shootings in the UK by handguns. As these are now illegal, we can only draw the conclusion that criminals, who had no intention to obey the law, have used these.

We are all aware of the terrible events in recent months & years in which vehicles, knives, explosives and acid has been used as weapons against civilians in the UK. Restricting access to vehicles is likely to be extremely difficult. There has been no atrocity committed by persons who have acquired a firearm. All lawful firearm certificate holders will support measures to restrict unlawful use of knives (and acids), but we cannot once again understand why we are being targeted for further Government action, when previous measures have proven to be wholly unsuccessful.

I should add at this stage, the term "Offensive weapons" is a poorly described in Parliament and associated literature, and is a misleading term. I do not possess weapons, only firearms and unless I was to use these in a manner which threatens the health or wellbeing of others, they cannot be described as "weapons". Similarly, a chef who uses knives in their daily work does not possess a "weapon", the knife only becomes a weapon when it is used in a threatening or unlawful manner. A sportsman who enjoys cricket and carries a bat on Sunday afternoon does not possess a weapon, unless he uses this to intimidate or threaten members of the public.

Members of the public are generally poorly informed about the activities target shooters, media and Government messages are quite clear, guns kill and therefore to be avoided at all costs. It is this hysteria which has led to this flawed proposal. There is no evidence whatsoever that any change in firearms legislation to restrict lawfully held firearms has led to a reduced number of firearms related incidents. Many concerned shooters have invited MPs to witness the sport in practice to reassure them, to date none has accepted these invitations, this is very disappointing.

The lack of engagement by MPs is further compounded, despite many lawful shooters writing to their MPs, expressing their concerns, few have received a considered (rational) response, all those who have, cited their "party" preference and have clearly forgotten that they are there to represent the members of their constituency and not their own personal (ill-informed) views.

The current situation in England and Wales

Prior to any firearm certificate being granted, extensive background checks are made, not only in relation to the applicant but all other members of the household (of whatever age). The checks take some time (up to three months) and if there are historic activities of concern, the application is refused. Applicants GPs are required to identify any form of mental illness (historic or current) and many identified mental illnesses (including depression) would prevent the applicant from receiving a firearm. If a firearms holder subsequently commits any significant offence, this will result in firearms being withdrawn, as the individual may not be viewed as a "fit and proper person" to hold firearms.

Currently all firearms holders have to demonstrate a) that they have a good reason for possessing a firearms and b) that they have adequate security measures to their local police force. In my area, officers or civilian members of Greater Manchester Police attend regularly to inspect my premises and security measures. There has been an insistence that I have, in addition to locked steel cabinets, an automated alarm system which contacts me (or the police) if the house alarm is triggered.

Whilst I work locally and could drive home in a few minutes, if an intruder is suspected, the local police could then be called to prevent any potential theft.

This additional security measure is not mandatory across the UK, but potentially it could be made into law, or official guidance. Current firearms certificate holders unwilling to adopt this increase in security would be required to surrender their firearms.

Currently, ammunition and firearms are required to be stored in separate (locked steel cabinets) which are bolted to internal walls in the house. Whilst not mandated, in my house, the bolts are removed from the firearms, and stored in a separate locked steel cabinet. Any potential thief (or terrorist) would therefore need to gain access to the house, access three locked steel cabinets, determine which components need to be assembled into a working firearm. They would also need to do this before the arrival of the police.

The Home Secretary has chosen to focus on two types of firearm to prohibit lawful access.

- 1) High muzzle energy (.50cal)
- 2) "Rapid firing firearms" use

High Muzzle Energy (.50cal)

There has been a perception that the civilian (.50cal) firearm is equivalent to the military version of this firearm, this is inaccurate as the bullet used is completely different. The military weapon is intended to incapacitate military vehicles and enemy personnel. The civilian round (a heavy full metal jacket bullet) is intended purely for long distance shooting as it is less affected by wind and atmospheric pressures, – up to 5 kilometres and there are several ranges in the UK where this is possible. There are a number of these across Europe and the USA and many owners compete internationally. There has been no recorded theft or unlawful use of any of these types of firearms. The theoretical theft and use against police or members of the armed forces cannot be justification for banning these. Increased security measures would surely be sufficient.

Removing these firearms from civilian use would affect a comparatively small number of UK residents. Their preferred sport will however be lost forever and the opportunities to compete abroad (representing the skills of UK shooters) will similarly be lost. The weight of these firearms (20lbs or more) means that they can never be easily carried for use in criminal or terrorist activity. Storing the bolt separately in the shooters house would provide the necessary additional security.

Rapid Firing Firearms (MARS and Lever Release)

It is clear from the Hansard reports of the debate on this matter that terminology is often misunderstood by Honourable members and this has led to erroneous beliefs and statements. This

has led to highly emotional statements; emotions are not the way to informed rational discussions that affect the lives of individual citizens.

There is no clear definition of what is meant by "rapid firing", most modern firearms can be operated quickly by experienced users. Similarly, some older firearms, including a 1940's built Lee Enfield can be operated to fire 10 rounds in less than a minute by an experienced shooter. The rapid operation however will reduce accuracy as the recoil of the gun will inevitably require the marksman to re-acquire the target. Most modern (bolt action) firearms have detachable magazines holding up to 10 rounds.

A number of firearm certificate holders possess firearms defined as "under lever", Marlin is a well-known make. These guns can be loaded with multiple rounds and is available in calibres including. 357 magnum, .44 magnum, .444, .45-70. Typically, six (or more) rounds can be loaded into the firearm. With a skilled operator, these can be fired at the rate of one round every 5 seconds (or less)

Following the ban of pistols in 1997, a long barrelled pistol was allowed under the Section 1 of the Firearms Act, this firearm possesses the same attributes of the shorter barrelled firearm. Currently no pistol authorised under section 1 can be less than 20 inches in length

Practical Shotguns are allowed under section 1 of the Firearms act, these can fire a number (generally up to 8) shotgun shells in quick succession. If used by a criminal or terrorist, these firearms could inflict considerable harm to individuals; however, the Government has made no mention of changes to legislation on either of these firearms

It is therefore inaccurate to describe only the (MARS and Lever Release) firearms as rapid firing, all the above mentioned firearms can be operated quickly, but often with considerable loss of accuracy.

As described above, the bolts from the different types of firearm can be (and are) removed after use by the author and stored in a separate locked cabinet for additional security. This is not a mandatory or statutory requirement, but should be considered by the Government before imposing draconian and unjustified changes on legitimate shooters in pursuance of their chosen sport.

Choices of firearms for patients affected by illness

At many shooting clubs or ranges the number of younger members is far less than the members aged over 60 years of age. Societal and media pressures discourage many young men or women from taking up the sport. As we age, many individuals are affected by loss of visual acuity, musculoskeletal / joint issues which can make accurate shooting more difficult.

Telescopic sights can help correct for visual changes, but it is more difficult to correct for reduced manual dexterity or common conditions such as osteoarthritis, which can affect hand strength and fine hand movements.

My own shooting can be affected by reduced hand strength and mobility in winter months. Using a traditional bolt action firearm becomes extremely difficult. This loss of co-ordination and inability to remedy problems if they occur could be dangerous to fellow shooters. I therefore made the decision to purchase lever release and under lever firearms which are far simpler to use (safely) and

accurately in colder weather. I know that many members of my club also experience similar problems and consequently do not shoot during the December – January period.

If this ban is approved by Parliament, I will be forced to surrender some of my firearms and therefore may not be able to shoot on colder days. Most of these firearms are licensed for use only on outdoor ranges, unlike in some countries (particularly the USA), consequently, I fail to see how this proposed ban will improve public safety or reduce the risk of illegal use of firearms by terrorists or criminals.

These (lever release and under lever) firearms are generally lighter (weight) and so more easily handled by persons whose hands are affected by osteoarthritis or similar conditions which reduces hand dexterity or strength.

Lack of consultation with shooters association(s) and consultation respondents

The National Rifle Association represents a number of sporting / target shooters throughout the UK. There is considerable technical knowledge and expertise contained within this organisation. It would appear that the Government did not consult with this group before publishing the proposals in the consultation. It is unclear why these particular measures were considered and despite the results (78% of those responding) disagreeing with these proposals.

There are other representative groups, including the BSSC, SACS and BASC, I am aware that all of these representative groups have subsequently consulted with the Home Office to reinforce many of the clear messages and correct misunderstandings I have included in this letter, however, it seems that even this weight of knowledge and informed opinion has been disregarded by the Home Secretary

Results of the consultation on restricting firearms

This (78%) does not represent the magnitude of firearms which will be affected if the ban is enacted. The results indicate the Government intransigence in listening to reasoned argument continuing to believe (despite the lack of evidence) that these measures will improve public safety. Many shooters post views using social media and many are convinced that the arbitrary firearms chosen simply represent the start of a concerted campaign to remove all firearms from public ownership.

“Public safety” is simply given as a justification for removing firearms. The Government has thus far, refused to produce any evidence that this approach will justify the considerable sums of public money which will need to be spent in order to acquire these firearms. They similarly refuse to acknowledge that previous bans have not affected the levels of gun related crime or terrorist activity. In my view this is an unjustifiable use of public money and this resource could be better spent on intelligence gathering or more police officers who have to deal with the consequences of such activity

Conclusions

As described above, the Government along with many Members of Parliament are ill informed on the subject of firearms and the activities associated with target shooting. An emotive response is generated each time this topic is up for discussion anywhere in the community and in Parliament. Members are unwilling to challenge Government assumptions and statements that removing these

firearms will have a beneficial effect on public safety. When some MPs have raised questions, seeking evidence of benefit from the proposal, the Home Secretary retreats to a defensive position and cites Intelligence services data or requests from senior police officers. This approach is evasive at best and misleading at worst.

Legitimate shooters have not been given the opportunity to improve their security arrangements if this is required to a defined national standard. The emotive approach demonstrated from members of both sides of the House of Commons can be the only explanation for failure to engage in rational debate, challenge vague statements made by the Home Secretary, disregard the results of the consultation and lead to MPs not responding to letters from constituents.

I Hope that the Public Bill Committee will consider the political implications of approving this flawed legislation. Firearm holders whose views are not considered, MPs who fail to respond to letters, MPs with ill-informed views who are unwilling to listen to the evidence. These are unlikely to encourage affected individuals to vote for any political party in the future, I know that my faith in my own MP has been affected, the expressed views of many Conservative MPs are equally intransigent and incorrect is likely to lead me (and others) to not vote in the future

I feel that this victimisation of legitimate sporting activity is not an informed or democratic approach and I am extremely disappointed that this behaviour has now apparently become endemic in the House of Commons. I hope that Honourable Members of the House of Commons Public Bill Committee will take a more rational and informed approach to making important decisions and restore my faith in the democracy & Government of this country

Yours sincerely

Dr Keith M Pearson BSc MSc MA MPharm PhD