

FEAR OF VIOLENCE AND THE CURRENT BRITISH ANTI-GUN HYSTERIA:

BLAMING OBJECTS INSTEAD OF CRIMINALS FOR CRIME



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**Libertarian
Alliance**

FOR LIFE, LIBERTY AND PROPERTY

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INTRODUCTORY NOTE

Some months ago, the Right Honourable Lord Rodgers of Quarry Bank, chairman of the Advertising Standards Authority, invited me to speak at a forthcoming ASA conference on "Violence in society", which took place at the Grosvenor House, Park Lane, in London on 5th November 1996. Lord Rodgers asked me to address the question of whether the level of violence had actually increased, and to comment on society's response to that violence, as well as the relevance of the private ownership of firearms and other weapons to current concerns over violence. The following is a considerably expanded version of that talk.

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Over the past year, the media, many figures in the political world and ordinary people have expressed alarm over what appears to be an unprecedented increase in violence in society. The fatal stabbing of the headmaster, Philip Lawrence, by a 16-year-old boy using a combat knife in November 1995, and the horrifying murder by shooting of 16 children and their teacher in Dunblane in March this year have led to the Firearms (Amendment) Bill, currently before the House of Commons, which proposes, among other measures, the outlawing of all handguns of greater than .22 calibre (except for vets and some private collectors), and a declaration by the Home Secretary, the Right Honourable Michael Howard, MP, that he proposes to outlaw the sale of combat knives as soon as a workable definition of them can be finalised. The Advertising Standards Authority, in seeking to inform itself as the facts regarding violence in society, did me the honour of inviting me to this conference to examine the fear of violence, and society's reaction to that fear, from a libertarian point of view. I have always considered that when a candidate for sainthood within the Roman Catholic Church is proposed, the cardinal who takes the role of Devil's Advocate has by far the most interesting job. In the same way, while aware of the gravity of the issues, I take some pleasure in taking an analogous position by advancing a view which is certain to be at odds with the prevailing national mood. In view of the widespread misinformation which is being disseminated on the subject of violence and weapons, this invitation offered me a welcome opportunity to present some documented facts which are not widely recognised.

FEAR OF VIOLENCE — A PERENNIAL CONCERN

In the aftermath of the riots of 1981, Professor Geoffrey Pearson, currently professor of social work at Goldsmith's College, London, investigated the belief expressed at that time that high levels of crime and violence were a new phenomenon in British society, and that a golden age in which the British people had lived free from the fear of violence had existed at some unspecified date a few decades earlier. Examining the historical record, Professor Pearson found that in the 1950s similar views had been expressed about the Teddy Boys, with their gang fights, vandalism, rock-and-roll cinema riots, and attacks on cafe owners. In 1961, T.R. Fyvel favourably compared "the law-abiding England of pre-1940" with "the new type of violence" and lamented that there was "something in the way of life, in the break-up of traditional authority, in the values of the news in the headlines, which encouraged widespread youthful cynicism in general and rather violent delinquency in particular."¹

Going back to "the law-abiding England of pre-1940", Pearson found that concerns were loudly expressed about such phenomena as razor gangs, race-course roughs, street robberies, motor bandits, football violence, and such political conflicts as those between the British Union of Fascists and their opponents, and between the police and the unemployed. In 1931, for instance, 30 towns witnessed clashes between the police and

unemployed people demonstrating against dole cuts. James Butterworth complained in 1932 that

The passing of parental authority, defiance of pre-war conventions, the absence of restraint, the wildness of extremes, the confusion of unrelated liberties, the wholesale drift away from churches, are but a few characteristics of after-war conditions.²

Yet the late Victorian and Edwardian period had witnessed complaints about the original Hooligan gangs, with their distinctive dress, inter-gang violence, wrecking of coffee-stalls and pubs, and attacks on old ladies and policemen, as well as concerns about such phenomena as the “football madness” and the “cyclist terror”. Then, as now, what we would today call “the media” was blamed for the supposedly new spread of violence. In 1905, for instance, Charles Russell complained that in the music halls, “horrible murders and terrible tragedies were enacted before the footlights”, leading to “so many instances of violence on the part of young men, in the back streets of the city.”³ Even worse was the influence of the cinema. In 1913, *The Times* described how “Before these children’s greedy eyes with heartless indiscriminate horrors unimaginable are ... presented night by night ... terrific massacres, horrible catastrophes, motor-car smashes, public hangings, lynchings.” Many young people, it was said, “actually begin their downward course of crime by reason of the burglary and pickpocket scenes they have witnessed.”⁴ Also in 1913, at a trial of a boy burglar, the learned judge described the cinema as “a grave danger to the community” which was “responsible for the downfall of many young people”, and the prosecutor remarked that “it was perhaps an example of retributive justice that one of houses broken into belonged to a cinematograph proprietor.”⁵ Again, this was considered to be a new departure. In 1899, *The Times* complained that “The break-up or impairment of the old ideas of discipline or order, and the life of the great cities create occasions for some varieties of crime.”⁶ In 1896, William Tallack argued that “Partly as a result of excessive leniency, there has been developed a pestiferous class of young ruffians who have caused great suffering to the respectable ... to whom they have become a terror.” This, he claimed had occurred “during the last quarter of the Nineteenth Century.”⁷

But, as Pearson demonstrates, in the 1870s and 80s *Punch* complained about attacks by “roughs” on the new London Underground, “brutal assaults on elderly females” by “Burly Jack”, “Bloodstained Bill”, “Smashjaw Ned”, and other Victorian worthies, as well as fights involving “the too free use of that popular institution the British boot.”⁸ In 1883, amid concerns about the increased use of firearms by burglars, the London police were armed for the first time. Government papers justified this development on the grounds of “the constant dangers” to which London was exposed, which “were never greater than at the present time.”⁹

The 1850s and 60s had seen fear of attacks by the “garrotting gangs”, one of whose members attacked the victim from behind and held him by the neck while the garrotter’s accomplices fleeced him of valuables. According to Matthew Arnold, writing in 1869, “The outbreaks of rowdiness tend to become less and less of trifles, to become more frequent rather than less frequent”. He complained about both the “rough” of the East End slums and political violence over such issues as the Irish question and the Reform Bill of 1867. Arnold complained that the “playful giant” of the working class was asserting “his right to march where he likes, meet where he likes, enter where he likes, hoot as he likes, threaten as he likes, smash as he likes”. He believed that “For a long time...the strong feudal habits of subordination and deference continued to tell upon the working class. The modern spirit has now almost entirely dissolved those habits, and the anarchical tendency of our worship of

freedom in and for itself...is becoming very manifest ... All this, I say, tends to anarchy.”¹⁰ In 1862 *The Times* complained that “Our streets are actually not as safe as they were in the days of our grandfathers. We have slipped back to a state of affairs which would be intolerable even in Naples.”¹¹

Before that, the 1830s and 1840s had experienced the violence of the Rebecca Riots in rural Wales, and of the Chartist movement, which culminated in unrest throughout the North and Midlands in 1842. In 1843, Lord Ashley, Earl of Salisbury, complained of “the fearful multitude of untutored savages” and expressed the view that “the morals of children are tenfold worse than formerly.”¹² Once again, the “media” of the day were blamed for this state of affairs: in 1849, Thomas Beggs complained that the enactments of the outrages of infamous highwaymen “inculcate the same lesson, exhibit to admiration noted examples of successful crime” and “attract the attention and ambition of these boys, and each one endeavours to emulate the conduct of his favourite hero”.¹³ Also in 1849, the Reverend Henry Worsley condemned “The numerous juvenile offenders, whose precocity in wickedness is subject of grief and alarm to every well-regulated mind ... the overwhelming mass of vice and crime, now deluging our land.”¹⁴ He complained that “Rather more than fifty years ago, farmer and labourers might be said with some truth to have formed ... one united family.” But “the associations of rural life were interrupted” by the “money-making mania”. He continued, “Any candid judge will acknowledge the manifest superiority of the past century; and in an investigation of the causes which have conspired to produce such an unhappy increase of juvenile crime, which is a blot upon the age, the altered relations of village life cannot be overlooked.”¹⁵

At the risk of becoming repetitive, let us follow Pearson’s trail further back into history. In a sermon of 1829, the Reverend Edward Irving, a minister in the National Scotch Church, condemned “the amazing increase of juvenile depredations and felonies” and invited his congregation “to transport yourself a generation or two back” to “the times which every Scotsman above thirty years of age remembereth ... when parents, being industrious and economical, would pinch themselves to send their children all year round to the parish school.”¹⁶ The 1810s witnessed the widespread violence of the Luddite movement, in which rural textile workers in several counties destroyed the new textile frames in the factories, requiring 12,000 troops to put down their rebellion, and culminated in the Peterloo massacre of 1819, in which eleven people were killed and hundreds injured when the cavalry of the Fifth Hussars and the yeomanry violently dispersed a large crowd in Manchester. The first report of the Society for Investigating the Causes of the Alarming Increase of Juvenile Delinquency in the Metropolis, founded in 1815, berated the deterioration of morals and the decline of parental responsibility.

And evidence from the “Merrie England” of the 18th century demonstrates similar concerns. In 1776, Joseph Hanway remarked on “the host of thieves which has of late years invaded us”, as well as “robbers ... more numerous, more daring, more skilful in the pernicious acts of plunder”. He complained that it was “impossible to govern a people without the exertion of parental authority” and “we have been, for some time, in an undisciplined state”. Once again, the influence of the “media” was partly to blame: “And as to Newspapers, which let us into scenes of villainy, they are hurtful.”¹⁷ In 1738, Daniel Defoe complained of “a general corruption of manners throughout the kingdom”.¹⁸ In his *Enquiry into the Causes of the Late Increase of Robbers*, published in 1751, Henry Fielding argued that “The vast Torrent of luxury which of late Years hath poured itself into this Nation, hath greatly contributed to produce among many others, the Mischief I here complain of,” and

expressed nostalgia for the reign of William the Conqueror (!), when “there was scarce a Robber to be found in the Kingdom”.¹⁹

PROBLEMS WITH CRIME STATISTICS

As to the question of whether, in fact, England immediately after the Norman conquest was quite as robber-free as Fielding suggested, let us do no more than quote Professor Jock Young, of Middlesex University’s Centre for Criminology, who says, “The homicide rate in the Middle Ages was dreadful.”²⁰ In short, Pearson has convincingly demonstrated that complaining about the current amount of violence in society, and comparing it unfavourably with the past, is a venerable British tradition. Nevertheless, the measurement of the actual level of violence at any given time is fraught with problems. Criminal statistics are notoriously unreliable because of changes in information technology, the efficiency of the police, the willingness of people to report offences, changes to the law, and legal and administrative procedures. It is often said that the crime figures tell us more about the policies and priorities of the police than they do about crime itself. The trebling of recorded rape cases between 1982 and 1992, for instance, is almost certainly due to the willingness of the police to take complaints more seriously and to treat victims with more consideration. When, for example, male homosexuality was criminalised in 1885, and several categories of drugs were outlawed earlier this century, whole categories of voluntary behaviour that had previously been lawful were suddenly labelled as “crimes”.

Crime statistics often reflect the “image” the police wish to convey. Superintendent Malcolm Young recalls that when he was a CID cadet in what is now the Northumbria Police in the 1950s, the police wanted to give the impression that they had crime firmly under control, and encouraged an under-recording of statistics. He recalls that he was left to mind the front desk while the others “adjourned to the nearby pub”. His firm instructions were, “Remember, kid, nothing is stolen unless I say ... everything is ‘lost’, so send them all downstairs to lost and found property.”²¹ Superintendent Young recalls that “Everything was geared to suggest all was well with society, that disorder and calamity were within acceptable levels, and the police were in command of the small amount of ‘real crime’ that was abroad. ... Undetected crimes could be classifiably reduced to offences when the occasion demanded (e.g. arson to malicious damage), or be simply lost from the account altogether.”²² By 1963, however, as police forces amalgamated and more resources became available for them, Superintendent Young recalls that “we began to record every ‘crime’ reported.” One of his colleagues, a detective sergeant, observed that “we’re creating bloody figures to prove we are busy and under pressure and give the impression of escalating crime, so we can justify the bloody amalgamations and all these computers and the technology needed to contain the expansion of ‘crime’ that we have created in the first place.”²³ It was hardly surprising, therefore, that crime figures rapidly escalated from the mid-1960s.

In the hope of gaining a clearer idea of the true state of crime, since 1982 the Home Office has used polling techniques to create the British Crime Survey (BCS). The BCSes demonstrate that for those crime categories that remained comparable across the decade, recorded crime figures nearly doubled between 1981 and 1991, but the BCS suggests a lower rise of about 50%.²⁴ In surveying the BCS statistics, Keith Bottomley and Clive Coleman found that “The rises in crimes of violence and vandalism have been amplified by police statistics and this is the main source of the higher overall increase in police figures since 1981.”²⁵ The BCS statistics themselves have been criticised for underestimating the impact of crime on inner-city

residents, especially women and members of ethnic minorities. The 1982 BCS demonstrated that the risk of experiencing robbery in England and Wales was once every five centuries, an assault resulting in an injury once every century, a burglary once every 50 years.²⁶ Although these figures may seem encouragingly low, the figures have considerably increased in more recent surveys, and the crimes they describe are heavily concentrated in inner-city areas and on council estates.

One might think that homicide statistics, at least, would be unambiguous. But Sir Leon Radzinowicz and Joan King have suggested that possibly as many as 90% of criminal homicides go undiscovered.²⁷ Since 1967, each murder case has been tracked through the courts and the figures pruned annually to cull out those the courts found to be the result of accident, suicide, natural causes, self-defence or when the defendant is convicted of a lesser offence, such as manslaughter or causing grievous bodily harm with intent. Thus the murder figures are “massaged down”, by an average of 12% per year.

CRIME HAS INCREASED

Bearing in mind the above caveats about the sources, the best available evidence indicates that crime figures have risen steadily since 1945, although the rate of increase has now begun to slow down after a peak in the early 1990s. In 1950, there were just over 1,000 crimes per 100,000 of the population; by 1975, the figure had quadrupled, and now stands at more than 9,000 after topping 10,000 in 1991. In 1945 there were 492 homicides, rising to 745 in 1995. Robberies have risen from 921 reported cases at the beginning of the century to 1033 in 1945 and 68,074 in 1995, a figure which doubled in a decade.²⁸

Seventy percent of crime in Britain takes place in London.²⁹ In 1954, four armed robberies occurred in London; in 1994, an average of four armed robberies in London occurred every single day.³⁰ The murder rate in London is 2.3 per 100,000, considerably lower than Berlin (3.9), Brussels (3.7), Lisbon (5.6), Amsterdam (8.4) or Washington DC (70).³¹ Nevertheless, the sharp comparison between the low London figure and the rest reflects not only the “massaging down” of homicide figures mentioned above, but also the fact that in some Continental countries the homicide figure includes attempted murder as well as murder, and in the United States all prosecutions for murder are included in the figure, even where the defendant is either acquitted or convicted of a lesser charge.

The national murder rate appears to have declined continuously from the middle ages to 1900 before turning back up, with a notable rise from the 1950s onwards. Some commentators initially attributed the increase to more reporting, but, Professor Young says, “it went up so much there is no doubt that it really did go up”.³²

In addition to the statistical evidence, it is worth noting that when one discusses the issue with anyone old enough to remember the 1940s and 1950s, they virtually all recall that the level of crime, and particularly violent crime, has dramatically increased since those days. Experienced police officers, too, note that not only has the level of crime increased, but that criminals are far more ready to use violence against both victims and police officers, often without financial motive. A significant piece of evidence is also given in a reader’s letter to the *Independent*:

... until about 1957, British motorcycles — then as now a popular item among the less prosperous sectors of society — were fitted with no locks or keys of any kind. There were no steering locks and it was technically not possible to fit an ignition lock with the electrical systems mostly used at the time.

I had a Triumph 500cc bike around 1957-58. It had no locks and I never had a chain and padlock (and never knew anyone who had). Yet this bike remained parked every night outside my house [in London]. The bike was never stolen and I was never worried that it might be.³³

VOLITIONAL NATURE OF CRIME

A detailed examination of the causes of the increase in crime and violence is outside the brief that your Lordship has been pleased to give me. Nevertheless, it is worth noting that recent decades have seen the development of an “underclass”, characterised by dependency on the welfare state and, in many cases, habits of criminality which are passed down from one generation to another. According to the prominent libertarian Chris R. Tame:

The effect of indiscriminate welfare provision on a small but significant group in the ‘working class’, is to elicit a quite rational response from individuals who already share a ‘high time preference’ (or unwillingness to defer gratification) and value system best characterized as a ‘culture of poverty’. A moral ethos of irresponsibility, passivity, family breakdown, and crime is nurtured and subsidized. When combined with a reduced risk of arrest and punishment the effects are exactly what we observe in Britain and America, and anywhere else such policies are adopted.

Ironically, it is the ‘honest poor’ and the working classes who are the first and worst victims of pauperization, which, in the words of Charles Murray, represents “an extraordinary range of transfers from the most capable poor to the least capable, from the most law-abiding to the least law-abiding, and from the most respectable to the least respectable”.³⁴

And the sociologist Dr Christie Davies goes so far as to argue that:

The decline of Respectable Britain, the eclipse of the era of the law-abiding British, can ultimately be traced to the ever-increasing bureaucratic centralization of British society in the twentieth century and the linked, but independent, rise of a corrosive ethic of socialist egalitarianism. Both these changes undermined the moral fabric of Respectable Britain and eroded its central belief in individual personal responsibility.³⁵

The assumption that the criminal is not responsible for his actions has perverted the legal system, according to the American scholar Robert James Bidinotto:

The issue of free will versus determinism is the key to resolving any argument about the causes and cures of crime. ... By not taking into account the free will of the criminal, it’s ignoring the very factor which is decisive to his criminality: his responsibility for his actions. Instead, it has shaped the institutions of law to excuse him from justice.³⁶

The same point was emphasised by Stanton Samenow, an American psychologist who worked for several decades with prisoners and became a reluctant convert to the view that the individual criminal is, in fact, responsible for his actions:

... criminals choose to commit crimes. Crime resides within the person and is ‘caused’ by the way he thinks, not by his environment. Criminals think differently from responsible people. From regarding criminals as victims we saw instead that they were victimizers who had freely chosen their way of life... Criminals cause crime — not bad neighbourhoods, inadequate parents, television, schools, drugs, or unemployment. Crime resides within the

minds of human beings and is not caused by social conditions.³⁷

BLAMING THE OBJECT — AND THE VICTIM

Such insights appear to have largely eluded both official thinking and most of the media in the United Kingdom. Instead of the careful and systematic investigation into the causes of violence which the circumstances demand, attention instead focuses on the supposed evil of inanimate objects: weapons themselves. The question of volition and motive is entirely ignored, and any person carrying an object which might conceivably be used for self-defence purposes is treated by the law as if they were carrying it for the purpose of initiating aggression against another person, as the following examples demonstrate:

- In 1981, when Peter Sutcliffe, the “Yorkshire Ripper” was carrying out his murders, a 27-year-old woman who was found with a small clasp knife in her handbag, with the purpose of defending herself against possible attack by the Ripper, was convicted and fined for carrying an offensive weapon.³⁸
- In 1987, Eric Butler, aged 56, who was carrying a Royal National Lifeboat Institute collection tin, was attacked on the London Underground by two men who were, according to a witness, “strangling him and smashing his head against the door; his face was red and his eyes were popping out”. No other passenger came to his help. Mr Butler recalled that, “My air supply was being cut off, my eyes became blurred and I feared for my life.” Fortunately for Mr Butler, he was carrying a swordstick, a three-foot blade concealed within a walking stick, which he unsheathed. “I lunged at the man wildly with my swordstick. I resorted to it as my last means of defence.”³⁹ He stabbed an attacker in the stomach, wounding him, and escaped at the next station. The attackers were charged with unlawful wounding, while Mr Butler was convicted of carrying an offensive weapon, for which he received a suspended prison sentence. Shortly afterwards, the government banned the sale of martial arts weapons, the carrying of knives or sharp objects in public, and the sale and ownership of swordsticks.
- In 1991, an American woman tourist was attacked by two men on the London Underground and used a penknife to defend herself against them. She was given a suspended prison sentence. The court ruled that the possession of the penknife was not illegal, but the intent to use it for self-defence created an illegal “possession of an offensive weapon”.⁴⁰
- In 1996, a workman whose job required him to use knives for the purpose of cutting the straps of newspaper bundles was found by the police with three such knives in his car. He received a month’s prison sentence under the Offensive Weapons Act 1996. The magistrate, David Kennet-Brown, said, “There is no evidence before me that you were intending to use the knives for offensive purposes. Nevertheless, three knives were found in your possession, and I consider the only proper penalty is one depriving you of your liberty.”⁴¹
- Also in 1996, a 67-year-old man was attacked in his home near Loch Lomond by two thugs who threw stones at him and repeatedly threatened him. After the police failed to respond to two telephone calls, the pensioner shot at and slightly injured the two youths with an air gun. He was given a sentence of two years’ imprisonment.⁴²

The well-known French expression *Cet animal est très dangereux; quand on l’attaque, il se défend* is, of course, meant to be ironical; yet it is an exact and literal description of current

legal practice in Britain. It is worth pointing out that this practice, as far as I am aware, is not only unique to the UK, but is also of fairly recent origin. I have discussed this question with Americans and French people, who have informed me that in the United States and France, at least, the law generally protects the individual who uses a weapon in self-defence in situations similar to the cases mentioned above. Indeed, in France, such self-defence items such as Mace and CS gas cans, kung fu weapons, electrical stun guns, pepper sprays and flick-knives — all prohibited in the UK — are freely sold to the public without any requirement for a licence. (I have personally seen British visitors at the two weapons shops on the Rue de Lafayette in Calais purchasing these items, which one presumes they discard before returning home.) In the UK, by contrast, every criminal knows that the law-abiding citizen will be penalised for taking any measures for his or her self-defence. It is difficult to imagine any greater encouragement to violent crime, or any greater possible violation of the fundamental rights of the individual, than the current state of British law on this subject.

FIREARMS — ANSWERING THE *INDEPENDENT*

“Listen, Bob. A gun is just a tool. No better and no worse than any other tool, a shovel — or an axe or a saddle or a stove or anything. Think of it always that way. A gun is as good — and as bad — as the man who carries it. Remember that.”⁴³

These lines are taken from Jack Schaefer’s Western novel *Shane*, in which the title character is teaching the narrator, a young boy called Bob, how to shoot a revolver. I make no apology for citing a popular novel to make this point: “low-brow” fiction often contains more profound philosophical truths than much of contemporary “serious” literature. This philosophical truth has, unfortunately, been almost completely lost sight of in the hysteria over the private ownership of firearms which has occurred in the months since the Dunblane massacre. The Firearms (Amendment) Bill which the government has recently published will, if it becomes law, prohibit (with a few exceptions for certain professions) the private ownership of all handguns of greater than .22 calibre. Both the Labour opposition and the Liberal Democratic Party wish to go further than this and to outlaw even .22 calibre pistols. Unfortunately, much of the press has been propagating the most outrageous falsehoods relating to the private ownership of firearms. While no-one could reasonably expect veracity or fairness from such publications as the *Sun*, the *Daily Star*, the *Daily Mirror* and the *Daily Mail*, or such eminent parliamentarians as the Right Honourable David Mellor, MP, it is a matter of concern that even supposedly responsible and informed newspapers such as the *Independent* and the *Sunday Times* have joined in the hysteria which has reduced law-abiding private firearms owners to a status similar to that which devil-worshippers and practitioners of black magic enjoyed in the 16th and 17th centuries. (Perhaps I ought to make clear that I am neither a firearms owner nor a member of any shooting organisation, and my only first-hand experience with firearms was in shooting .303 and .22 rifles many years ago as a Royal Air Force cadet.)

First, let us put the problem of firearms violence into perspective. The horror of Dunblane has obscured the fact that death by shooting is extremely rare in this country. In England and Wales, far more people die through choking on their food (398 a year) or falling on the stairs at home (531 a year) than through shooting (156 suicides, 72 homicides and 17 accidents a year, a total of 245 deaths by shooting).⁴⁴ Much of the press, and many politicians, have created the impression of an epidemic of gun violence for which legal firearms owners are somehow responsible. As an example of this propaganda, and

as a means of introducing the subject, let us quote extensively from a recent leader on the subject in the *Independent*:

Death in Dunblane created an emergency that only a complete ban on the private ownership of handguns can begin to dissipate. The ban on private holding of handguns should be complete and exceptionless ... A complete ban would be a drastic extension of state power into private liberty — that is true. But there is no shortage of historical precedent for democratic governments responding to threat by far-reaching legislation, increasing surveillance and inspection deep in society’s innards. ... The first Defence of the Realm Act was passed by a Liberal government convinced — in the context of the Great War — its extension of government’s sphere was justified by the emergency. ... Banning private ownership of lethal weaponry should be aimed at restoring a status quo in which a less twitchy and frightened society has less need of that apparatus of state power symbolised by the armed police officer. [?] Fewer guns would mean less government [*sic*]. ... Just as there is no logic of history pushing the boundaries of the state ever forward (something the hysterics of the new right like to frighten themselves with), so there is no grand logic driving violent crime upwards. ... [S]ince the 17th century government has had a pretty effective monopoly on firepower: when Georgians or Victorians rioted they threw stones because all the muskets were secure inside army barracks. By the 20th century that tradition had bedded down into a widespread popular revulsion at the ownership and handling of destructive weapons. Guns are unBritish. That sentiment is, of course, flawed: there are large number of illegally held weapons. And the tradition is threatened, by boundaries open to trade with countries with laxer rules. But being anti-gun remains part of this country’s social ecology. This is a moment to affirm that aspiration of civic peace.

There are, yes, important points to consider when it comes to proscription — arguments that even the tears of grieving parents cannot dissolve. One of the strongest is John Stuart Mill’s plea for liberty: action should remain free up to the point where it harms others. On that basis, the Government might seek to rest its case for allowing guns to be stored at clubs where, in privacy, shooting and the handling of guns ought to threaten no one but their owners. But whatever merit it has in theory, it fails the test of practice. How secure will those armouries be? How are the weapons to transported for competitive shooting? A blanket ban is simpler to administer, and is therefore certain to be more effective [*sic*].

What is lost thereby? The pleasure of a handful of enthusiasts only. ... The loss of British participation at the Olympics in pistol shooting is hardly going to dent the national medals tally.

And what is gained? To ban handguns is to show, for once, that this country’s Parliament is not entirely the creature of special interests and paid persuaders. ... If ever an event proved the shallow self-regard of that Eighties formulation “there is no such thing as society”, it was the human response to the death of those children and their teacher in Dunblane. ... There are those who continue to resist a blanket ban on handguns, sincerely worried by nanny having to take things away in case we are tempted to misuse them. They fear this means infantilisation. Let them stand a moment alongside those parents in Snowdrop and observe their calm and adult demeanour. The parents’ arguments have won not only because they are right, but because in their capacity to translate their grief into practi-

cal democratic reform, they represent recuperative human spirit at its awesome and inspiring best.⁴⁵

As is usually the case, the degree of self-righteousness in newspaper editorials is in inverse proportion to the amount of truth.

In order to set the record straight, let us, as succinctly as possible, survey something of the history of firearms ownership and legislation in Britain, and the current situation as regards them in this country.

From Anglo-Saxon times, and continuing after the Norman conquest, the right of the individual to own weapons existed separately from the civic duty to bear arms for law enforcement purposes. In an era before the development of professional police forces, all adult males in the community were considered to be responsible for apprehending criminals. The Assize of Arms (1181) and the Statute of Winchester (1285) laid down the categories of weapon which men of each class were obliged to hold in order to discharge this responsibility. It was several centuries before firearms became effective weapons, but the right of the individual to own them became firmly entrenched in the British constitution. The Roman Catholic king, James II, had attempted to disarm Protestants, and when William of Orange became king, Parliament presented him with the Bill of Rights (1688), which asserted “that the subjects which are protestants may have arms for their defence, suitable to their condition and as allowed by law”.⁴⁶ The Bill of Rights was not intended to disarm Roman Catholics, but to restore to Protestants the legal right which they had hitherto enjoyed. King Billy, as he is affectionately known by those who value the heritage of liberty, accepted the Bill of Rights, which became part of the law of the land. In 1765, Sir William Blackstone’s *Commentaries on the Laws of England*, the definitive statement of the common law at that time, asserted that “The fifth and last auxiliary right of the subject, that I shall mention at present, is that of having arms for their defence, suitable to their condition and degree, and such as are allowed by law. ... [T]o vindicate these rights, when actually violated and attacked, the subjects of England are entitled ... to the right of having and using arms for self preservation and defence.”⁴⁷

The right to possess arms was, in short, firmly entrenched in English law. The situation in Scotland was somewhat different. After the defeat of Bonnie Prince Charlie at Culloden in 1746, one of the punitive measures directed against the Scottish Highlanders was the prohibition of the possession of weapons of war, with the bagpipes included on the list of banned weapons. Unfortunately, I have been unable to discover any study of firearms law in Scotland, and I apologise to readers north of the border for discussing these issues largely in terms of the situation in England and Wales, which is well documented.

The right of the individual to possess arms was actively - and successfully — defended by members of Parliament throughout the 19th century. The Seizure of Arms Act 1820 empowered justices of the peace to issue warrants for the seizure of arms in the three cities and eleven counties which had experienced industrial unrest in the 1810s, and expired after two years. In the Parliamentary debate, T.W. Anson, MP, said of the Bill: “The principles on which it is founded and the temper in which it is framed appear to me to be ... at variance with the free spirit of our venerated constitution and ... contrary to the undoubted right which the subjects of the country have ever possessed — the right of retaining arms for the defence of themselves, their families and properties.”⁴⁸ George Bennett, MP, said that the difference between a free man and a slave was the right to possess arms, for the purpose of defending both his property and his liberty.⁴⁹ In reply, George Canning, MP, a senior government minister, accepted “the right of the subject to hold arms. ... The doctrine so laid down ... is no other than the doc-

trine of the British Constitution. The Bill of Rights, correctly quoted and properly construed, brings me to the construction of the Bill which, in fact, recognises the right of the subject to have arms, but qualifies that right in such a manner as the necessity of the case requires.”⁵⁰

The Gun Licences Act 1870, which required individuals carrying or using a firearm outside a dwelling-house to obtain a ten-shilling licence from the post office, was purely a revenue-raising measure. Even so, P.A. Taylor, MP, condemned it as “an attempt to bring our laws and customs into harmony with those of the most despotic Continental Governments — it is an attempt to disarm the people!”⁵¹ Several Bills aimed at licensing or restricting the ownership of pistols were defeated in the Commons. Charles Hopwood, MP, said of the Pistols Bill of 1893, “It attacked the natural right of everyone who desired to arm himself for his own protection, and not harm anyone else.” The Bill was defeated in the Commons. “Why should Englishmen not arm themselves? It was natural and parliament ought not to interfere with such a right.”⁵² In 1895 another Pistols Bill was introduced, aiming at restricting ownership of these items. Mr Hopwood said of the 1895 Bill, “To say that because there were some persons who would make violent use of pistols, therefore the right of purchase or possession by every Englishman should be taken away, is monstrous.”⁵³ The Bill was defeated by 189 votes to 75, and the right of British subjects to own firearms was thus effectively reaffirmed by Parliament.

In his Cambridge University study of firearms controls in England and Wales, Colin Greenwood, formerly a superintendent and firearms specialist with the West Yorkshire Constabulary, author of *Police Firearms Training and Police Tactics in Armed Operations*, and now editor of *Guns Review*, summarised the legal situation in 1900 as follows:

England entered the twentieth century with no controls over the purchasing or keeping of any type of firearm, and the only measure which related to the carrying of guns was the Gun Licence Act, requiring the purchase of a ten shilling gun licence from a Post Office. Anyone, be he convicted criminal, lunatic, drunkard or child, could legally acquire any type of firearm and the presence of pistols and revolvers in households all over the country was fairly widespread. ... England at that time was a country where guns of every type were familiar instruments and where anyone who felt the need or desire to own a gun could obtain one. The cheaper guns were very cheap and well within the reach of all but the very poor. ... The right of the Englishman to keep arms for his own defence was still completely accepted and all attempts at placing this under restraint had failed.⁵⁴

Indeed, the upper classes at that time were actively encouraging the common people to own, and become proficient in the use of, firearms. From 1859 to 1918, the government kept a quarter of a million Rifle Volunteers under arms. In 1900, the Prime Minister, Lord Salisbury, said that he would “laud the day when there was a rifle in every cottage in England”.⁵⁵ In the same year, the Lord Mayor of London hosted a meeting attended by the Duke of Westminster, the Duke of Norfolk, Lord Roberts (commander-in-chief of the Army), the Archbishop of York, the Lord Mayor of Liverpool and others for the purpose of founding a “Society of Working Men’s Rifle Clubs for facilitating rifle shooting, more especially in the evening, with small bore rifles and inexpensive ammunition, as an ordinary branch of recreation by working men’s and working boys’ clubs and institutions.”⁵⁶ According to *The Times*, “the scheme would be a cooperative one, that is the gentlemen of the country would contribute to the funds, whilst the working men would be expected to join the clubs and make themselves efficient in the matter of rifle shooting.”⁵⁷

“GUN CULTURE” IN EDWARDIAN BRITAIN

The Pistols Act 1903 placed handguns under the control of statutory legislation for the first time. Essentially, it prohibited the sale of pistols to persons under the age of 18, or who were intoxicated or of unsound mind. It required retailers to sell pistols only to a person holding a gun licence under the 1870 Act, or to a householder seeking to use the pistol in his own home, or to a person about to go abroad for at least six months. Retailers were also required to keep records of pistols sold, and show these records to a police or revenue officer on demand. This had little effect on retail sales to adults, and sales or gifts between private individuals, as well as sales of rifles, shotguns and even machine-guns were still completely unregulated.

The extent of private firearms ownership in Edwardian Britain was demonstrated during the “Tottenham outrage” of 1909, in which two Russian terrorists attempted a wages robbery, shot dead a policeman and a 10-year-old boy, and were pursued by the police, who borrowed at least four pistols from passers-by, and armed citizens who joined in the chase with their own firearms. (One robber shot himself, the other hid in a cottage where he either shot himself or was killed by the police as they fired “blind” into the cottage.)⁵⁸ Neither was the ownership and carrying of firearms by any means a male preserve. Dorothy Levitt, Britain’s first woman racing driver, won the majority of races she entered, for example beating 60 male drivers at Le Mans in 1903. In 1909, in her book *The Woman and the Car*, she advised lone women motorists to carry a revolver with them. “I myself carry an automatic Colt,” she wrote.⁵⁹ Manifestations of “road rage” with this Edwardian lady would definitely not have been advised, I suggest. Firearms manufacturers proudly advertised their products in publications of all kinds. In 1907, for example, Webley & Scott, of Birmingham, wrote next to an illustration of their new .32 calibre automatic pistol:

Greater Simplicity of Construction, Increased Strength of Mechanism, Reduction in Weight and Bulk, the result being that the Webley automatic pistols are the lightest, simplest and most perfect pocket weapons.⁶⁰

I leave it to the members of the ASA’s committee to guess how many complaints that advertisement would bring in if it appeared in the Britain of 1996.

THE WATERSHED: THE FIREARMS ACT 1920

The unlawful use of firearms was extraordinarily low in this virtually unrestricted era. The Metropolitan Police Commissioner reported that during the three years 1911-13, there had been an average of 41 cases per year in which firearms had been used in crime or found in the possession of individuals whom the police had arrested. For the years 1915-17, when of course a large proportion of young men were in the the armed forces, the average annual figure had fallen to 15.6 cases.⁶¹ This should be compared with over 1600 armed robberies in London alone in 1991, under the strictest firearms control in the Western world.⁶² In 1904, firearms figured in 15 murders; for the years 1988-92 the average number of firearms homicides was 48.⁶³ Superintendent Greenwood concluded that

the use of firearms in crime was very much less when there were no controls of any sort and when anyone, convicted criminal or lunatic, could buy any type of firearm without restriction. Half a century of strict controls on pistols has ended, perversely, with a far greater use of this class of weapon in crime than ever before. We do not know how much worse this would have been if there had been no controls, but it is possible to get some indication by looking at the position in relation to shotguns. Despite the fact that they were unrestricted until 1968, shotguns were used in only a relatively low proportion of robberies in the

periods immediately before and after the imposition of controls.⁶⁴

During the first world war, the Defence of the Realm Act regulations imposed some restrictions on the sale of firearms, primarily in Ireland, although they in no way affected the firearms already in circulation in England and Wales. In 1918, at a time of fears about both Bolshevism and the civil war in Ireland, the Sub-committee on Arms Traffic, under Sir Ernley Blackwell, expressed concern about the problem of vast quantities of surplus weapons appearing on the market as the war ended. Nevertheless, the government had no intention at this time of disarming responsible British subjects. Indeed, after the Armistice of 1918, the government disposed of its vast stockpiles of captured German weapons by giving them away to individuals who had contributed to the war savings scheme. These who had given a small amount received a captured rifle each, those who had given larger amounts received a machine-gun, and those who had given particularly large donations were given a piece of German field artillery each! Neither did the government disable these weapons before distributing them.⁶⁵

In 1919-20 the Cabinet believed that a Bolshevik uprising, backed by Soviet Russia, was imminent in Britain. Sir Eric Geddes, Minister of Transport, feared “a revolutionary outbreak in Glasgow, Liverpool or London in the early spring [of 1920], when a definite attempt may be made to seize the reins of Government ... It is not inconceivable that a dramatic and successful *coup d’état* in some large centre of population might win the support of the unthinking mass of labour.”⁶⁶ Nevertheless, these fears were concealed from both the public and Parliament. In introducing the Firearms Bill in 1920, which was voted into law, the Home Secretary, Edward Shortt, misled the House by claiming that it was

... designed to maintain greater control so that, as far as possible, criminals or weak minded persons and those who should not have firearms may be prevented from having these dangerous and lethal firearms. As far as possible, we have provided that legitimate sport should not be in any way hampered, and so that any person who has good reason for possessing firearms, or to whom there is no objection, may be entitled to have them; but we hope, by means of this bill, to prevent criminals and persons of that description from being able to have revolvers and to use them.⁶⁷

Opposing the bill in the Commons, Mr Kiley said that “While it achieves no useful purpose, so far as I can see, it does interfere with legitimate traders. So far as burglars are concerned it will have no effect.”⁶⁸ Lieutenant-Commander Kenworthy opposed the Bill on constitutional grounds, arguing that there was

a much greater principle involved than the mere prevention of discharged prisoners having weapons. In the past one of the most jealously guarded rights of the English was that of carrying arms. For long our people fought with great tenacity for the right of carrying the weapon of the day, the sword, and it was only in recent times that it was given up. It has been a well known object of the Central Government of this Country to deprive the people of their weapons.⁶⁹

Commander Kenworthy continued, “The very foundation of the liberty of the subject in this country is that he can, if driven to do so, resist. You can only govern with the consent of the people.”⁷⁰

(Whether or not one accepts the commander’s views on this subject, it is surely fair to say that the House of Commons doesn’t produce members like that anymore.)

Despite opposition on both constitutional and practical grounds, the Firearms Act 1920 became law on 1st November of that

year. For the first time, the private ownership and sale of all firearms to adults was systematically regulated throughout the nation. Nevertheless, the government made no claim — and indeed no court has ever found — that the right to own firearms had been removed or reduced by the Act. The 1920 Act required every person who already possessed, or wanted to purchase, a firearm, to obtain a firearms certificate, valid for three years and renewable, from the local chief officer of police, who was to grant the certificate if he was satisfied that the applicant had a “good reason” for owning the weapon. The chief officer was to deny a certificate to anyone whom he considered unfit to be entrusted with a firearm, but the unsuccessful applicant had the right of appeal in the courts against such a refusal. Firearms dealers were also required to be registered with the chief officer of police. It was made illegal to supply a firearm to persons under 14, drunk, of unsound mind or with certain criminal convictions. The Act introduced the concept of “prohibited weapons”, applying originally to weapons “for the discharge of any noxious liquid, gas or other thing”,⁷¹ which could only be made, sold or owned with the authority of the Admiralty, Army Council or Air Council. Shotguns were not affected by the Act in any way, and could be legally sold, bought and owned without any restriction until 1968. (In British usage, a shotgun is not classified as a firearm.)

Even under the 1920 Act, and in the 1937 Home Office *Memorandum of Guidance on the Implementation of the Firearms Act*, personal protection was recognised as a “good reason” for the issuance of a firearms certificate.⁷² Only in 1946 did the Home Secretary, Chuter Ede, declare that “I would not regard the plea that a revolver is wanted for the protection of an applicant’s person or property as necessarily justifying the issue of a firearms certificate.”⁷³ By the 1962 edition of the Home Office *Memorandum of Guidance*, self-defence was no longer listed as a good reason for owning a firearm.

The implementation of the 1920 Act caused widespread resentment. A large proportion of firearms owners did not approach the police for a certificate, and kept their unlicensed weapons in breach of the law. As early as December 1920, the Reverend Henry Evans, vicar of Tonge, successfully appealed in court against the refusal of the local chief constable to grant him a certificate for his Winchester rifle. In filling in the application form, Mr Evans had written that his reason for requiring a certificate was so as to comply with the law. The chief constable refused to accept this, and Mr Evans refused to fill in another form, noting that there was no requirement in law for him to have filled out the first one. The court found in Mr Evans’s favour. A Home Office internal note complained that “The police chose a case in which they were very likely to lose, and covered by H.O. instructions to issue certificates freely to reputable persons already in possession.”⁷⁴ The Home Secretary brought the constabularies’ attention to “the following observations, which may assist Chief Constables in enforcing the Act without unnecessary interference with persons who were properly in possession of firearms at the time of the passing of the Act, and are not likely to abuse permission to retain them.”⁷⁵

WILL THE REAL ROY JENKINS PLEASE STAND UP?

Since the 1920 Act, firearms controls have become ever stricter, and since the 1960s Britain has had by far the strictest gun control in the Western world. The Firearms (Amendment) Act 1936, for instance, classified machine guns and sub-machine guns as “prohibited weapons”, and required a firearms certificate for the more powerful shotguns. Firearms laws have typically been ill-informed and badly thought out, and often introduced more as a response to a short-term political situation than through any careful analysis of the facts. I will avoid a

detailed history of firearms controls since the 1920 Act, and refer the interested reader to the works by Greenwood, Kopel and Munday and Stevenson in the bibliography. Let us just look at one example: the way in which shotguns were subjected to a certificate system.

In 1965, capital punishment for murder was abolished, against the wishes of the majority of voters, much of the press and many MPs. At that time, the general consensus was that the misuse of guns was quite simply not a significant problem in Britain. In 1966, the Metropolitan Police Commissioner stated “with some confidence” that the objective of eliminating “the improper and careless custody and use of firearms ... and making it difficult for criminals to obtain them ... are effectively achieved.”⁷⁶ On 23rd June 1966 the Home Secretary, Roy Jenkins, told Parliament that after consulting with the chief constables and the Home Office, and carefully considering the matter, he had concluded that bringing shotguns, which could at that time be freely bought without a licence, under a certificate system was not worth the trouble: “I must pay some regard to the burden of inspection which would be put on the police. The police do not consider that it would be right to make an extension at the present time.”⁷⁷

On 12th August 1966, a criminal gang at Shepherd’s Bush, in London, murdered three policemen with illegally-owned handguns, leading to a public clamour for the restoration of capital punishment for murder. Mr Jenkins was a determined abolitionist, and rather than bow to this pressure by restoring the rope, on 12th September he announced that he was “Endeavouring to draw up plans to end the unrestricted purchase of shotguns. They can be purchased far too easily, by mail order or other means, and there is evidence that the criminal use of shotguns is increasing rapidly, still more rapidly than that of other weapons.” He continued, “He realised that his plans to end the unrestricted purchase of shotguns would be bound to involve a little inconvenience for some legitimate users and suppliers. With crime offering its present challenge, this would be a small sacrifice which it might not be unreasonable to demand.”⁷⁸

Mr Jenkins therefore included as Part V of the Criminal Justice Act 1967, which was a major overhaul of the criminal legal system, the requirement for a shotgun certificate before a shotgun could be owned or purchased. In the Lords discussion of the bill, Lord Mansfield described the first parts of the bill as the “Criminal Justice (Encouragement of Evil-doers) Bill” and Part V as the “Criminal Injustice (Harassment of Citizens) Bill”. Lord Mansfield said that “this Part of the Bill, however well intentioned, is not going to do one iota of good as far as prevention of crime is concerned ... [it] is so bad that it cannot be amended and I hope, therefore, that your Lordships will throw it out *in toto*.”⁷⁹

Nevertheless, the bill became law. In 1992, Chief Inspector Brian Waldron, former chief firearms instructor for the Metropolitan Police and co-author of *London’s Armed Police*, commented, “I don’t think anybody has suggested that the controls that were imposed on shotguns were actually designed to curtail criminal use.”⁸⁰ How the Home Secretary could on 23rd June 1966 have rejected the imposition of shotgun controls as a waste of police resources and an irrelevance in the control of crime, while on 12th September 1966 the same Home Secretary could propose the certification of every shotgun in the land as a response to “crime offering its present challenge” is indeed a mystery on which, with the greatest respect to your Lordship, perhaps those with the good fortune to be privy to the thinking of the present Lord Jenkins of Hillhead can shed some light. Another mystery is how the control of legally-owned shotguns could be have been expected to have any effect whatever on the criminal use of illegally-held handguns.

The Shepherd's Bush massacre also seems to have been a watershed in the attitude of chief officers of police towards private ownership of guns. Before the late 1960s, while the police had always enforced firearms legislation to the letter of the law, in general they had done so with the common sense, restraint, good humour and trust of law-abiding individuals that have traditionally characterised the *esprit de corps* of British police forces, and are so singularly lacking in the law enforcement practices of most other countries. The police had not generally considered the private ownership of firearms by law-abiding certificate holders to be objectionable in itself. From the late 1960s, that attitude changed, and chief officers of police started to use their discretionary powers to actively discourage firearms ownership. A chief constable's report for 1969 stated that "certificates are only issued or renewed in those cases where the applicants have a very real need to possess firearms. ... [T]he continuing upsurge in the use of firearms for criminal purposes makes it essential to apply a very stringent policy."⁸¹ Another chief constable's report for the same year stated that, "Every application for the grant or renewal of a firearm certificate is scrutinised most carefully as I am anxious that the number of firearms in possession of members of the public should be kept to a minimum."⁸²

The assumption among chief officers of police was clearly that the more rigid the control over legal firearms, the less they would figure in armed crime. In his classic study published in 1972, Superintendent Greenwood subjected this assumption to an exceptionally thorough and authoritative investigation. He concluded

... that legislation has failed to bring under control substantial numbers of firearms, and it certainly cannot be claimed that strict controls have reduced the use of firearms in crime. On the basis of these facts it might be argued that firearms controls have had little effect and do not justify the amount of police time involved. Indeed, it is possible to build up a sound case for abolishing or substantially reducing controls. ... It might be claimed that a tradition of restricted ownership of firearms has been built up, and that controls have helped to establish a state of public opinion in which firearms are regarded as potentially dangerous items which should be restricted as far as possible to responsible people. ... The system of registering all firearms to which Section 1 applies as well as licensing the individual takes up a large part of the police time involved and causes a great deal of trouble and inconvenience. The voluminous records so produced appear to serve no useful purpose. In none of the cases examined in this study was the existence of these records of any assistance in detecting a crime and no one questioned during the course of this study could offer any evidence to establish the value of the system of registering weapons. ... In the light of these facts, it should surely be for the proponents of the system of registration to establish its value. If they fail to do so, the system should be abandoned. ... It is evident that the firearms at present in the hands of legitimate users who hold certificates present virtually no problem to the community. The strict policies which have been applied since 1967 ... have not affected the numbers of illegal weapons in circulation. ... The policies may, indeed, have been counter-productive. Having regard to the large numbers of illegal weapons in circulation, otherwise respectable persons denied a firearm certificate might well be tempted to obtain a weapon illegally and thus support the black market. ... To continue with the process of attempting to deal with the criminal use of firearms by placing more restrictions on legitimate users is not likely to achieve anything. ... Whilst this mistaken belief persists, the real problem will

not receive the attention and action which it clearly and urgently requires.⁸³

These conclusions appear to have been completely ignored by chief officers of police. Indeed, throughout the 1970s, their hostility to the lawful private ownership of firearms increased. By 1982, the *Police Review* could state quite frankly that:

There is an easily identifiable police attitude towards the possession of guns by members of the public. Every possible difficulty should be put in their way. No documentation can be too rigid, no security requirement too arbitrary, which prevents guns coming into the hands of criminals.⁸⁴

Some chief officers of police impose such conditions as the purchase of expensive electronic security systems and safes before they will grant or renew a firearms or shotgun certificate. The practice that police officers may inspect a private home without a warrant has been established *de facto* by the "safe keeping" provisions of the gun laws. In many jurisdictions the police insist on the power to enter a gun owner's home without a search warrant in order to check on the owner's security provisions as a condition for granting or renewing a certificate. If the gun owner refuses to admit the police on these visits, his certificate will be revoked. Police officers often stop individuals who are shooting on private land and demand written proof that they have the owner's permission to shoot there, threatening to confiscate the shooter's guns if he cannot produce such proof. The police often refuse applications for new collections of firearms outright. Licensing fees have been increased far above the costs of administering the system, and used as a mechanism to discourage gun ownership.⁸⁵ One chief constable's report for 1969 actually boasted that:

Comparison with 1968 shows a marked decrease in the number of firearm certificates held, granted and renewed in 1969 and a decrease in the number of certificates of registration of firearms dealers. It is considered that the increase in fees operative from 1st January 1969, an increase in fact of 400%, and the tighter control on the grant and renewal of firearms certificates have been the major factors in this trend.⁸⁶

Inevitably these dramatic increases in fees tend to make shooting increasingly unavailable to the less prosperous members of society.

As a result, the number of firearms certificates in England and Wales fell from 216,281 in 1968 to 159,804 in 1983, a reduction of 26%. Since 1989, the number of certificate holders has fallen by a further 20%.⁸⁷ In 1988 the Essex police prosecuted a sailing club for not having a licence for the 50-pound black-powder cannon used to start their races.⁸⁸ In 1989 Robert Manning was lawfully shooting pigeons with a licensed shotgun in a field outside Coventry where he had the owner's prior permission to shoot. A police helicopter appeared above, he put his gun down, and the police told him to walk to a clearing, remove his jacket and shirt and turn around. He did this, and found himself facing some 20 policemen with dogs and two with Armalite rifles. One officer told him to march towards them and lie down, whereupon they handcuffed him, removed his boots, and took him in the helicopter to a police cell, despite his explanation of the facts. He was then held for several hours until the police succeeded in contacting by telephone the farmer who owned the field, who confirmed that he had given Mr Manning permission to shoot there. The police then allowed Mr Manning to leave the station but refused to return his shotgun, even though they did not dispute that it was licensed and had been used strictly in accordance with the law. Only when Mr Manning refused to leave the station and returned to his cell in protest did the police reluctantly return his

gun.⁸⁹ The West Midlands Police, who carried out this action, are notorious as the force in the country which has moved furthest from what one might describe as the *Dixon of Dock Green* approach to the enforcement of the gun laws. While this is a particularly bad example of police malpractice, many other cases are almost as bad. One can imagine the outcry from such groups as the National Council for Civil Liberties (Liberty) — and understandably so — if such methods were used against, say, a law-abiding and unarmed black person in Brixton. When these measures, which undermine the principle of the presumption of innocence, are directed against shooters, however, Liberty is silent.

ORWELLIAN REWRITING OF HISTORY

I have described the history of firearms ownership and control in some detail in order to expose the falsehood of the *Independent's* claim that “since the 17th century government has had a pretty effective monopoly on firepower. ... By the 20th century that tradition had bedded down into a widespread popular revulsion at the ownership and handling of destructive weapons.” In *Homage to Catalonia*, George Orwell recalled that during the Spanish civil war, for the first time, he had experienced lies which did not even have that relationship to the truth which a lie ordinarily entails. Clearly one no longer needs to travel to Spain to read lies of truly Orwellian dimensions. Indeed, we can be quite sure that Winston Smith, whose job in *Nineteen Eighty-four* was to rewrite history for *The Times* and consider inconvenient historical facts to the “memory hole”, would now be sending his CV to the *Independent*. Judging by its proposal for “a drastic extension of state power into private liberty” and “far reaching legislation, increasing surveillance and inspection deep in society’s innards”, the *Independent* loves Big Brother far more than the Old Thunderer ever did in Orwell’s novel.

Either the *Independent's* writers are aware of the truth, and are deliberately deceiving the public, or they are simply inventing the “facts” as they go along, presumably in the belief that their readers are as ignorant as they are. Their “statement” — if one can call it that — that banning guns “should be aimed at restoring a status quo in which a less twitchy and frightened society has less need of that apparatus of state power symbolised by the armed police officer” seems to have no meaning at all. How can “[f]ewer guns ... mean less government” when they have just proposed “a drastic extension of state power into private liberty”? What is the relevance of their statement that “there is no grand logic driving violence crime upwards” when legally-owned guns are, for all practical purposes, not used at all in violent crime? Then they concede that the argument of that great libertarian Mill that “action should remain free up to the point where it harms others” — which is precisely the main argument against a handgun ban — has merit in theory. The questions of the security of gun clubs and the transport of handguns are asked but not answered. And then we are told that “A blanket ban is simpler to administer and is therefore certain (!) to be more effective.” If so, perhaps the *Independent* can enlighten us as to how (as we shall see) armed hoodlums from the slums of Palermo, Moscow, Kingston and Bogota, as well as native criminals, are roaming our streets, quite illegally, with the combined contents of *Jane's Small Arms of the World*. — And perhaps they can explain how the IRA is able to virtually rule large parts of Northern Ireland and carry out acts of terrorist violence throughout of the United Kingdom through the power of the gun. The small minority of handguns which it would be possible to confiscate are precisely the ones owned by individuals whom the police have thoroughly investigated and accepted as lawful firearms owners, about whose guns the police have detailed records, and whose storage facilities have been approved, and are subject to inspection by, the police.

When competitive shooting events take place, the police have approved the safety and security arrangements, and know exactly who is shooting, and with what handguns. Suppressing a legal market in an product or service for which there is a demand simply drives that market underground. Resentment of the proposed ban is widespread among the shooting community, and it is likely that many of them will continue to shoot at illegal events with unlicensed handguns. Is it seriously contended that this is a preferable situation to keeping handgun shooting events safe, legal and police approved? Is it proposed that if these otherwise law-abiding individuals should be criminalised, and imprisoned if caught doing something which had previously been perfectly legal? Where is the desirability — let alone the justice — of creating a situation where every handgun in the nation which does not belong to the police or the armed forces is in the hands of gangsters, robbers and terrorists, or illegal shooters entirely outside of the supervision of the law?

Their claim that “Guns are unBritish” is also interesting. If, say, a Euro-sceptic was to say that he or she was opposed to the proposed European Union single currency on the grounds that it is “unBritish”, one can imagine the hoots of derisive laughter coming from the *Independent's* editorial offices. When, however, the *Independent's* writers demand the imposition of a tyranny against gun owners greater than that which existed in the Soviet Union — where sporting shooters were permitted to own heavy-calibre handguns provided they were stored in shooting ranges when not in use — they are quick to unfurl the Union Jack. Unfortunately for the *Independent*, those of us who have studied the facts know that they are sailing under false colours. Once again Dr Johnson is vindicated in his maxim that patriotism is the last refuge of a scoundrel.

FIREARMS FOR SELF-DEFENCE?

The fact that I have described an historical era in which firearms were available without restriction for self-defence purposes, and that their criminal misuse was negligible by today’s standards, should not be construed as implying that I would necessarily favour the immediate repeal of all firearms controls in the Britain of 1996. There is no historical example of a country which has overnight moved from the very strict firearms controls currently in force in the UK to a situation where weapons of all kinds were freely on sale to all comers without a licence. Whatever might have been the situation circa 1900, as described above by Superintendent Greenwood, British society has changed a great deal since then, and many of the firearms being manufactured today are many times more lethal than anything available at the turn of the century. Even if one accepts the philosophical principle of the right of the individual to possess weapons for his or her self-defence, this right can only conceivably be re-established in a context of responsible and safe ownership in which the right of law-abiding members of the public to live safe from the irresponsible use of guns is also, within reason, upheld.

For example, many psychiatric patients with extensive histories of violence and even murder are being discharged from hospitals into “community care” only to kill again. Over 100 murders a year are thought to be carried out by such individuals, even without firearms. I accept as much as anybody that the defence of life, liberty and property would not be strengthened by enabling such individuals to obtain unlimited numbers of firearms without any legal requirement for a licence. There is also a number of young offenders who carry out violence which seems to be entirely gratuitous, and I accept that the prospect of such individuals acquiring firearms might be less than an entirely appealing prospect. Neither would I necessarily argue that a situation in Britain in which virtually every adult owned or carried a gun would be the most desirable social goal. A dis-

cussion as to possible ways in which the right to self-defence might conceivably be re-established, bearing in mind these considerations, is, however, a topic entirely beyond the scope of this paper. The only purpose I am concerned with as far as this paper is concerned is to present the essential facts, arguments and expert opinions relating to the present gun debate which are essential for anyone who wants to make sense of it.

The principle that the individual has the right to possess firearms for self-defence still finds its defenders among public figures. In 1979, Clement Freud, MP, told the Commons that

It is important on the grounds of security to bear in mind that the more people can learn about the use of firearms, the safer, and not the less safe, this country will be. ... The more people can be encouraged legally to use firearms, the safer and not the less safe will this country be.⁹⁰

In 1993, the journalist Sir Peregrine Worsthorne made a similar argument in the *Sunday Telegraph*.⁹¹ In 1996, Walter Sweeney, MP, courageously called for householders to be allowed to shoot burglars. Mr Sweeney said:

I don't want to have an American-style gun culture in which people routinely keep weapons. But if someone has a weapon on their property for a legal purpose and they are accosted in their homes by a burglar who appears to be armed, that person should be allowed to defend themselves. The law is discriminating against people who have taken steps to defend themselves and their property and I would like to see the rights to do so strengthened.⁹²

On some occasions, certificated gun owners do use their weapons for self-defence. In 1996, for instance, a Yorkshire farmer shot and wounded a burglar who had allegedly threatened him with a knife. The burglar, whose criminal record included, among other offences, 85 house burglaries, said, "I have learnt my lesson. I would be a fool to start my criminal activity again."⁹³ The farmer was prosecuted but acquitted. Charles Haigh, chairman of the Yorkshire National Farmers' Union commented that "common sense had obviously prevailed" in the farmer's acquittal, and that "law and order was letting down the citizens of this country who behave in a civilized manner, and allowing the uncivilized to prosper."⁹⁴

The sporting shooters' organisations, however, reject the self-defence argument. In 1988, for instance, Tony Jackson, of the British Association for Shooting and Conservation, said of concerns that people were buying guns for self-defence: "This, if it is a fact, is an alarming trend and reflects sadly on our society."⁹⁵ These organisations have always gone out of their way to concede to stricter firearms controls and to defer to the wishes of the Home Office, the government and the police. When the Home Office imposed severe restriction on gun clubs, both the Clay Pigeon Association and the National Rifle Association assented, the chief executive of the latter organisation simply noting that "the Government saw a need."⁹⁶ After the Hungerford massacre of 1987, the British Shooting Sports Council agreed, however reluctantly, that Kalashnikovs and all other semi-automatic rifles deemed inappropriate for target shooting could be banned, along with "short" shotguns and electric stun guns, but asked that semi-automatic rifles which were recognised as quality target guns, as well as pump-action and semi-automatic shotguns, could remain lawful. In the event, under the Firearms (Amendment) Act 1988, all these categories of gun were banned outright. With the current Firearms (Amendment) Bill, which proposes to outlaw all handguns larger than .22 calibre, the sporting shooters are paying the price for this approach. As the American lawyer David B. Kopel, in his cross-national study of firearms law, explains:

When the government cuts back on civil liberties, it couches its actions in the reasonable language of "balancing." The Police Act, authorizing incommunicado detention, was promoted as a "balance" between police powers and individual rights. Likewise, Home Secretary Douglas Hurd justified the 1988 gun controls as "a better balance between the interests of the genuine sportsman and the safety of the public as a whole". The gun lobby's concession that guns are only for sport, and not for defense, helps the government tip the balance against the gun owner. If guns make no positive contribution to personal or public safety, the public's concerns about safety must override the gun owners' interest in sports.⁹⁷

ROYALTY AND TOP BRASS BACK GUN CULTURE SHOCK

The value of civilian marksmanship, and the skills learned in gun clubs, is recognised by both the Army and some sections of the police. In recognition of this fact, Her Majesty the Queen is the Patron of the National Rifle Association, and His Royal Highness the Prince of Wales is its President. Lieutenant General Sir Peter Duffell, inspector general doctrine and training, wrote in 1994 that "the Army regards a high standard of marksmanship as being an essential skill for the majority of soldiers, and we regard target shooting by civilian rifle and pistol clubs, along with the activities of National Rifle Association and the other major bodies, to be fundamentally important in achieving that high standard."⁹⁸ General Sir Roger Wheeler, the Army's commander-in-chief, said in 1996 that "the value of the civilian clubs is — first of all — that they provide an arena for competition, particularly for long range sniper-type shooting, over and above what the military can offer. Secondly — and more importantly — there is the experience of the senior members of those clubs, who provide coaching expertise beyond what is available in military training."⁹⁹ John Warner, former chief instructor of the special firearms operations and training unit of the Metropolitan Police, wrote in 1996 that

... during my period with the Police I encouraged officers to consider taking up shooting as a sport, knowing that they would benefit. ... [C]ivilian clubs can and do offer additional opportunities to improve skills and confidence to those police who become members. ... Once a policeman feels more confident and at ease with his firearm, he is able to give more attention to strategy and tactics, etc., and this must contribute to safety and security.

The consequences of private individuals being denied the right to shoot and possess firearms would in my opinion, lead to a drying up of knowledge and skills that in the past have served our country well.¹⁰⁰

Learning to shoot can also be of definite benefit to young people. Adolescents as young as 12 are taught shooting by the leading sporting organisations. Graham Downing argues that "unquestionably, the strict discipline involved in learning to shoot and the sense of responsibility it fosters can do young people an immense amount of good."¹⁰¹ In his foreword to Mr Downing's new book *Shooting for Beginners*, aimed at the under-18s, His Royal Highness the Duke of Edinburgh expressed approval of the teaching of young people to shoot:

Academic and technical qualifications are certainly vital for economic success in an age of increasing technological sophistication, but that ignores the social and cultural values of intelligent participation in leisure activities.¹⁰²

(I would like to mention, in passing, that the support given by the Queen, the Prince of Wales and the Duke of Edinburgh to private gun ownership is an example of how members of the Royal Family, by lending their prestige to lawful activities

which are subject to vilification by the media and cheap politicians, can be an invaluable bulwark in defending traditional freedoms against temporary political hysteria. Unlike some British libertarians, who have Republican inclinations, I believe that the institution of the monarchy is an important factor in the maintenance, and indeed extension, of freedom in the British context.)

ARE LEGALLY-OWNED GUNS USED IN CRIME?

Immediately after the Dunblane massacre, which was carried out with four legally-owned heavy-calibre handguns, there was widespread pressure for the outlawing of all handguns and, from some campaigners, the eventual outlawing of rifles and shotguns as well. The assumption was that such a measure would reduce the use of firearms and shotguns in crime. Yet every academic study of the subject has concluded that legally-owned guns, which are subject to firearm or shotgun certificates renewable every three years, stored in police-approved conditions in either homes or registered gun clubs, subject to regular police checks, owned by individuals with neither criminal records nor histories of mental illness, who have satisfied the police as their good reason for and fitness to possess a firearm, and who in a large proportion of cases are themselves either serving or former police officers, or former members of the armed forces, are practically never used in crime. The criminal misuse of legally held handguns in England and Wales amounts to a grand total of two cases per year. Given that there are 200,000 legally-held pistols, the chance of misuse in any year is one in 100,000. Their occurrence in homicide amounts to barely 3/10ths of one per cent. In Scotland in 1993, the latest year for which figures are available, there was not a single instance of the misuse of a lawfully owned handgun whatsoever.¹⁰³

In 1979, Professor Richard Harding, visiting fellow at Oxford University, and Australia's leading academic advocate of strict firearms controls, concluded his study of firearms law by stating that "the passage and attempted enforcement of laws prohibiting or further curtailing the private ownership either of firearms generally or of any particular kind of firearm would be unlikely to affect the use of guns in crime, and could moreover be counter-productive."¹⁰⁴ In 1992, Detective Inspector Adrian Maybanks, in his MA dissertation in police studies at Exeter University, actually found "that present police policies and enforcement of the firearms legislation is serving to increase the number of unlicensed firearms in circulation. This in turn may help to feed the illegal supply of firearms to criminals." He continued, "almost certainly, legislation is causing a contribution to, as opposed to reducing, the unlicensed pool of weapons."¹⁰⁵ Detective Inspector Maybanks's interviews with senior police officers helped him to form this conclusion. Commander John O'Connor of the Metropolitan Police, formerly head of the Flying Squad, told him that "I don't believe the legislation is going to prevent criminals from obtaining a variety of weapons, including the sort of weapons that have been outlawed by recent legislation." Commander O'Connor continued, "the general case is that the people who belong to gun clubs do not use their weapons for illegal purposes; the legislation has the effect of punishing those people. It is not going to have any impact on those people who use weapons for criminal purposes."¹⁰⁶ According to Chief Constable Jim Sharples, "If they want to get a firearm, they will."¹⁰⁷ Superintendent Colin Greenwood maintained that "the primary effect of legislation has forced thousands of weapons onto the black market and has merely bolstered the illegal pool of weapons, with the resultant effect that the legislation is entirely counter-productive."¹⁰⁸

It is of course absurd to imagine that a professional armed robber or gangster would choose to go through the procedures of

the firearms legislation and obtain a certificate from the chief officer of police in order to obtain a weapon with which, for example, to carry out an armed robbery, or to intimidate victims of a protection racket. Such an individual would, of course, prefer to obtain an illegal firearm on the black market.

FOUR MILLION UNCERTIFIED FIREARMS

If legally-owned and certificated firearms do not, for all practical purposes, figure at all in crime, it is worth asking how many uncertified firearms there are in Britain, who has them, and where they come from. Every few years since 1933, police forces have announced firearms amnesties, in which members of the public may hand in uncertified guns and ammunition at police stations with no questions asked. Those weapons which are of historical interest are donated to local museums, while the rest are melted down. These amnesties bring in vast numbers of unlicensed guns: in the 1946 amnesty, for instance, 76,000 guns were surrendered; in the 1988 amnesty, 1.5 million rounds of ammunition came in.¹⁰⁹ In the 1965 amnesty a man in Royston, Hertfordshire, handed over an anti-tank gun, four rifles, 12,000 rounds of ammunition, several live grenades and three booby traps.¹¹⁰ In the 1988 amnesty a man in Windsor surrendered 88 boxes of ammunition, three machine-guns (one with tripod), four rifles, three revolvers, a flare pistol and an anti-aircraft gun.¹¹¹ In addition, the police receive large numbers of guns other than during amnesties, and encourage registered gun dealers to take in unlicensed guns from those reluctant to take them to the police. At least 2000 guns are handed to gun dealers every year in this way.¹¹² Given that only law-abiding people who want to get rid of their illegally-held guns would surrender them, it is a reasonable assumption that the pool of uncertified firearms is far from negligible.

In the 1980s, Dr A.B. Bailey of Oxford, a former Ministry of Defence scientist, used the statistics on surrendered weapons to calculate the approximate number of unlicensed firearms at large in Britain. He arrived at a figure of some four million.¹¹³ Dr Bailey's study was reviewed by Michael Yardley, a former Army officer who is now a firearms consultant to police forces, a research psychologist, and author of *The Police Use of Firearms in the UK*. In an article in the *Police Review* in 1988 entitled "Four Million Menaces", Mr Yardley confirmed the validity of Dr Bailey's calculations.¹¹⁴ Almost certainly, the majority of these millions of guns are held by people who are otherwise entirely law-abiding. Some of these guns were in private possession before the 1920 Act, and were simply never registered. Others were captured German weapons given to contributors to the war savings scheme in 1918-19. Still others were brought back as souvenirs by members of the armed forces at the end of the second world war and other conflicts, although the military authorities prohibited this activity.

INCREASE IN CRIMINAL USE OF FIREARMS

Other illegal guns are purchased by professional criminals on the black market. For the years 1988-92, firearms were used in an average of 48 homicides a year, and over 4000 robberies a year.¹¹⁵ Since then, there has been a dramatic influx of firearms smuggled into the UK, largely from the vast stockpiles of former Warsaw Pact military weapons. These include the formidable Russian Kalashnikov AK 47 assault rifle, which is so powerful that the shock of its bullet can often kill no matter where it hits the body. (The Kalashnikov was banned in Britain under the Firearms (Amendment) Act 1988 after Michael Ryan massacred 16 people in Hungerford in 1987 with a legally-owned Chinese-manufactured copy of it.) In 1994, a Kalashnikov was used for the first time in an attempted bank robbery, in Kendal, in the Lake District. In 1994, the journalist Alasdair Palmer described how "a [black market] gun dealer showed me

an AK 47, then offered to sell it to me at a knock-down price. He also offered to get me a bazooka.”¹¹⁶

In 1995 another journalist, Tony Thompson, published a study of the professional gangsters who are coming into the UK from places as far apart as Russia, Colombia, Sicily, Japan, Jamaica, Turkey and Hong Kong, attracted primarily by the profits to be made from selling illegal drugs, as well as home-grown gangsters, such as the traditional Cockney “families”, the Asian mafia of East London, and the Hell’s Angels. Many of these groups are far more ready to use firearms than traditional British criminals. The exceptionally violent Jamaican gangsters known as the Yardies are especially notorious for their display of firearms and willingness to use them. Their favourite weapon is the Glock 17L 9mm semi-automatic pistol, which was designed by an Austrian engineer who had never created a pistol before, and is constructed mainly from high-tensile plastic, making it lighter, quieter and more durable than most handguns. From 1986 to 1995 there were 57 Yardie-linked murders, as well as countless woundings, serious assaults and rapes. Yardie gun battles are increasingly common in parts of London, Birmingham and Manchester. In the summer of 1991 almost daily shooting incidents occurred in Brixton, including a gun battle near to a children’s playground. When the police increased their patrols in Brixton in response to public demand, the problem simply moved to Clapham. There, in 1993, PC Patrick Dunne was murdered in cold blood by three laughing Yardie gunmen who had just killed a drug dealer by chasing him around his living room, firing 17 shots at him. Shortly afterwards, a Clapham resident wrote to the *Independent* and described how the Yardies had taken over the Landor Road, openly touting pump-action shotguns. A local mini-cab driver told the *Guardian* that he regularly ferried the leading Yardies around with pistols and shotguns across their laps.¹¹⁷ Mr Thompson comments:

This willingness to display and use guns has virtually forced other criminals, black and white, to do the same, or risk being ripped off or shot dead by their Yardie counterparts. Between 1993 and 1994 there was an unprecedented sevenfold increase in the number of assaults involving guns in the London area.

This in turn has led to an increase in the number of armed response vehicles in many major cities; the issuing of bullet-proof jackets for officers on standard beat patrol; and the Commissioner of the Metropolitan Police predicting that, by the end of the decade, it is likely that the entire UK police force will be fully armed.¹¹⁸

(Perhaps I should point out, in order to head off any suspicions of “racism”, that Mr Thompson, whom I have met, is of Afro-Caribbean extraction and emphasises that members of the Afro-Caribbean community, who are the Yardies’ primary victims, are in the forefront of demands for effective action against them. He points out that gangsters within different ethnic communities prey primarily on members of their own group: the Triads, for instance, mainly victimise Chinese-owned businesses.)

In investigating the black market in guns, he found that “Once reserved for top gangsters, highly sophisticated weapons are now available to virtually anyone who wants one.”¹¹⁹ Buying an old revolver costs £150 to £300, up to about £700 for a fairly new semi-automatic handgun, and up to £1,500 and above for a machine-gun or assault rifle. Otherwise, criminals hire a gun for a particular “job”, leaving a returnable deposit plus a fee. If the gun is fired, the deposit is forfeited and the renter is obliged to dispose of the weapon, for example by throwing it into a river. (The reason is that if the gun is rented out to another criminal, who is caught, he may be prosecuted

for a murder carried out with the same gun by an earlier renter, as forensics departments can easily match bullets and shells with the guns from which they were fired.)

Black-market guns are smuggled into the country by being dismantled and posted in parts to separate safe houses, or putting different parts in different suitcases. They are hidden in freight, foodstuffs and deliveries of foreign newspapers. Other guns are purchased lawfully in Continental countries where gun controls are far less stringent than in the UK. In Belgium, for example, a British subject can purchase a pump-action shotgun (which is banned in Britain) simply on production of a passport. These guns are then smuggled into the country. Other guns come from what is officially classified as “leakage” from military sources, that is, weapons lost, damaged or stolen during military exercises. Neither the Home Office nor the Ministry of Defence release figures on the number of firearms entering the black market in this way.¹²⁰ It is known, however, that several hundred Browning automatic rifles captured from the Argentines during the Falklands War were smuggled home by soldiers and sold in pubs.¹²¹

Thompson interviewed an underworld arms dealer whom he calls Andrew, who told him:

“Whatever area of the crime game you’re in these days, everyone wants a gun. Right from burglars and muggers to pimps and fences. Even drug dealers — not the big players but the kids with market stalls selling ten-quid bags of grass — they’re all tooled up too. ... It’s only the amateurs who rent. They only do little jobs — post offices, betting shops. If you’re planning something big, you’re better off with your own gear. All the big families and firms have their own armourers. You don’t want too many people knowing your business, that’s how you end up inside. ... Since the Falklands and now with this Bosnia thing, I don’t know how but all of a sudden the market is getting flooded with loads of foreign, good, high-quality guns. But not blagging guns, fucking war guns. There’s all these night-sights and laser guidance things, bazookas and Kalashnikovs — everyone’s got one now so you’d be a dickhead not to get one yourself.”¹²²

Even ten years ago, a professional criminal regarded a firearm as a tool of the trade, to be carried only while on a “job”, not fired unless it was essential to do so, and hidden away afterwards. This has now radically changed. According to Thompson:

Today, the gun is virtually a fashion accessory and bravery comes pre-packaged in the form of neat white lines of powder on a mirror. In the old days, a pro wouldn’t even have a small drink before going on a job. “Now people get charlied up, think they’re it and start shooting,” says Andrew.

“All that stuff [drugs] they use nowadays makes them confident, brave, raring to go. Someone’s only got to plant the seed and they’re off. People used to be known as hard-men. They’d win a reputation by having lots of tough fights and coming out on top. Nowadays, if you’re that good, you just get shot. There are no more hard-men any more, just nutters.”¹²³

The increased readiness of today’s criminals to use firearms was demonstrated in 1993, when Stephen Farrer, an armed robber, shot and wounded Detective Sergeant Michael Stubbs of the Metropolitan Police Flying Squad with a Czech Skorpion sub-machine gun. This was the first time a sub-machine gun had ever been fired at a police officer in Britain.

THE PROVISIONAL IRA

Large arsenals of illegally-owned firearms and explosives are, of course, also in the possession of the Provisional IRA. In a history of this organisation published in 1988, journalists Patrick Bishop and Eamonn Mallie found that:

In joining the IRA, recruits are entering an organisation that regards itself as an elite and exclusive band. ... The IRA's members sincerely believe themselves to be soldiers. ... This outlook precludes guilt. It is as unrewarding to expect remorse from a 'volunteer' over the killing of a policeman or a politician as it is to expect regret from a soldier who shoots a sniper.

Dr H.A. Lyons, a Belfast psychiatrist who examined many IRA men convicted of murder, found them to be resilient, relaxed and "a reasonably stable group of people". Dr Lyons continued,

They have clear ideals and goals, they have leadership, they get strong support from other members of the group and that helps to keep them well. It helps to keep any guilt from coming to the surface.¹²⁴

The IRA's goal is to use terror and violence in order to incorporate Northern Ireland into the Irish Republic, despite the fact that the people of Northern Ireland, in free elections in which all adults have the right to vote, have consistently returned members of Parliament firmly committed to the principle that Northern Ireland has been for centuries, is, and shall remain, an integral part of the United Kingdom. Any individual in Northern Ireland who wants to live in the Irish Republic is free to cross the border at any time and settle there. (While these facts are well known in Britain, I have heard some Americans express the belief that either the British Army is occupying the whole of Ireland and being resisted by the Irish people, or that the IRA is the official army of the Irish Republic, or that the majority — or all — of the people in Northern Ireland want to join the Republic, or that Roman Catholics in Northern Ireland are denied the vote and subject to official discrimination. I recite the facts for their benefit.)

Since 1969, the IRA has carried out thousands of terrorist murders and maimings of soldiers and civilians, including police officers, through bombings and shootings throughout the United Kingdom. They have massacred families eating in restaurants, young people in pubs, shoppers in department stores and civilians attending a Remembrance Day religious service, as well as assassinating or maiming public figures who have dared to speak out against them. They raise money from armed robbery, extortion, fraud, kidnapping and a vast protection racket so sophisticated that they employ accountants to inspect the books of businesses and determine how much they can afford to pay. So widespread is this protection that it is said that banks cost protection money into financial appraisals, and that local Inland Revenue inspectors accept accounts showing hundreds of pounds a week going to the terrorists. In several Roman Catholic areas of Northern Ireland where the Queen's writ does not run, the IRA have established themselves as a combined armed "police" force, "justice" system and execution squad. Those who break the IRA's "laws" are punished, according to the severity of their "offence", by being either "kneecapped" or shot dead. Bishop and Mallie explain:

Victims were taken to one of Belfast's many stretches of wasteland, forced to lie down, then shot through the back of the legs with a small calibre pistol. The punishment squad then called an ambulance. The Provos disliked the term 'kneecapping'. They claimed that it was inexact, as the shootings were graded in severity. Some were mere 'stigma' shootings through the fleshy parts of the thigh.

Firing through the joints was reserved for serious crimes. In exceptional cases offenders were shot through the knees and elbows. If the offender was lucky he was out of hospital in a week. A combination of bad light, a nervous gunman and a struggling victim made for some horrific injuries. ... Executions of touts [informers] were sometimes accompanied by accusations of torture. The family of Anthony Braniff ... claimed that he had been tortured before being shot in September 1981 for giving information about arms dumps. *Republican News* later indignantly denied the charge, announcing that he had made a statement saying he had no complaints about his treatment by his captors before they killed him. The scorch-marks found on his body were attributed to powder burns from the shooting.¹²⁵

(Good thing we've got freedom of the press, isn't it, so that these awful things people say against the IRA can be answered?)

Thompson describes other IRA "punishments", which I repeat not through any pleasure in the account, but to demonstrate the power and violence of this organisation:

There is 'breeze-blocking', in which bones are shattered by flagstones dropped on joints; the '50-50', where the victim is forced to touch his toes while a bullet is fired into his spine; the 'six pack', where a single shot is fired into each knee, ankle and elbow; and the 'bar beating', where the victim is forced to roll over several times so that his legs can be broken from every side with blows from crowbars.

Punishments are meticulously scheduled to prolong the agony — the victim is told several weeks in advance exactly where and when the attack will take place.¹²⁶

The IRA's firearms, including their characteristic ArmaLite rifles, are smuggled in by sea and air, assisted by IRA sympathisers in ships' crews, airlines and dock and airport staff. They are purchased from terrorist-supporting governments, terrorist organisations or professional criminals around the world. Some of them are donated or paid for by Noraid, the pro-IRA fundraising organisation in the United States, or from other American sources. In 1976, for instance, a Boston gang stole seven M60 heavy machine-guns from the US National Guard armoury at Danvers, Massachusetts, and sold them to the IRA for £667 each. The IRA used these weapons in incidents in which ten people died and 19 were injured. As part of the "Bloody Sunday" commemorations in Londonderry in 1978, the IRA put these machine-guns on public display.¹²⁷ It is important to recognise that the IRA's firearms are considered to be the property of the organisation, and not the private property of the individual member.

The IRA generally make their own explosives, either from stolen gelignite, from fertiliser freely obtainable from any garden store, or through such devices as the "Durex bomb". Bishop and Mallie explain:

Sulphuric acid, sealed in a phial of candlewax, was placed inside a contraceptive sheath which in turn was placed in a large, thick envelope with a quantity of sodium chlorate, an explosive chemical used as weedkiller. The bomber walked to the target, placed the package and squeezed the phial to release the acid which ate through the sheath and ignited the chemicals. It is said that when [IRA member] Sean MacStiofain was asked while visiting the North to transport some contraceptives back to the South for use in training sessions he refused on the grounds that they were immoral objects.¹²⁸

After the IRA announced a temporary cease-fire in 1994, the British government began all-party talks which included representatives of Sinn Fein, the political wing of the IRA. The end

result of these talks could only have been the ceding of control over a part of the United Kingdom, at least to some extent, to the rule of the Irish Republic or Sinn Fein itself, thus overruling the verdict of the people of Northern Ireland as expressed via the ballot box. Without the possibility of such a result, there would be no point in beginning the talks. As a “gesture of good-will”, several IRA members who had been convicted of terrorist offences were released early from prison. The British government asked that the IRA’s weapons be handed over, but Sinn Fein refused. Nevertheless, the British government was willing to continue talks despite the fact that the IRA retained its stockpiles of firearms and explosives, until the resumption of the IRA terror campaign in 1996.

AFTER DUNBLANE

The same government which was prepared to open talks with Sinn Fein without demanding, as a pre-condition, that the IRA hand over its weapons took a very different attitude towards law-abiding British handgun owners after the Dunblane massacre of March 1996.

The Dunblane massacre was an example of the category of homicide known as “spree killing” or “amok killing”. In the words of John Douglas, recently retired chief of criminal profiling for the Federal Bureau of Investigation, “You could deprive Hamilton of his guns. But someone like him is mission-oriented and where there is a will, there is a way, even with strict gun laws.”¹²⁹ Multiple murderers of this type very rarely use firearms. Such notorious British mass murderers as Dr Crippen, “Jack the Ripper”, Myra Hindley, Peter Sutcliffe (the “Yorkshire Ripper”), Denis Nilsen (the “Stockbridge Strangler”) and Frederick and Rosemary West carried out many horrifying killings without the use of guns. If Hamilton or Ryan had not been gun owners, they would have found other means to carry out their murders. The attention of those of us who are concerned to prevent these sorts of horrifying crime should be devoted to addressing questions of family upbringing, of the education of young people, of psychology and related areas which can help us to bring about the development of happy individuals who are free from the deep malevolence that characterises these people, and also free from the desire for a life of crime.

In the words of Jan A. Stevenson, a former senior investigator with Pinkerton’s National Detective Agency in the United States and now one of Britain’s leading firearms experts, “the only guns you can reach are those which are not causing the problem. If you could reach the problem guns, they would soon be replaced. And meanwhile, you have done nothing at all about the hardened criminal who was committing the crimes in the first place, nor about the social conditions that produced him and are producing more like him.”¹³⁰

In his ground-breaking 1972 study, Superintendent Greenwood found that “the problem does not lie simply in the increasing use of firearms by criminals. ... Criminals have proved to us that firearms controls will not deny their small class of people access to firearms whenever they want them.”¹³¹ In 1983, he concluded that:

To isolate robberies involving a firearms as a peculiar problem is clearly wrong. That is simply one aspect of the use of weapons in robbery which, in turn, is simply one aspect of the violent crime of robbery. If we are to reduce firearms robberies, or armed robberies, we must reduce the level of robberies overall. A strategy designed to reduce firearms robberies by seeking to reduce the number of firearms in the community is doomed to fail. It is looking for the easy, but false, answer. The logistics of the problem will show just how futile such an exercise must be.¹³²

Most of the media and many politicians, however, responded as if all legal handgun — and even long gun — owners were in some sense responsible for the crime at Dunblane, completely ignoring the concept of individual responsibility. The demand arose for the banning of all handguns, which would inevitably lead to the closure of gun manufacturers, dealers and clubs. I have no desire to make light of what happened at Dunblane, and I apologise to those readers who might consider the following point to be in poor taste. But the irrelevance of this demand is demonstrated by considering what would have happened if Hamilton had been a cricket player who had waylaid those children and their teacher one by one over a period of months and battered them to death with a cricket bat. The crime would have equally horrifying, in moral terms, as what actually happened. Everybody would have been rightly revolted and profoundly shocked that any person could carry out such an unspeakable series of deeds. But if the demand came for the outlawing of all cricket bats, and the consequent closure of cricket clubs, cricket equipment manufacturers and retailers, and the consequent unemployment and loss of such an important national sport, everybody would realise that such measures would entirely miss the point. If law-abiding cricket players were subjected to insulting vilification by much of the media and many politicians, everyone would realise just how unjust and utterly irrelevant such attacks would be.

SELECT COMMITTEE HEARINGS ON HANDGUNS

On 8th May 1996, the House of Commons Select Committee on Home Affairs heard oral evidence on the private ownership of handguns. Jim Sharples, president of the Association of Chief Police Officers, took care to distinguish between lawfully held firearms and the much larger number that were unlawfully held. He noted the increasing number of police seizures of illegal guns, originating in eastern Europe and areas of war and instability, and the increasing “gun culture” among criminals, particularly in the large cities. He said that there was an urgent need to reduce the number of illegal guns. Mr Sharples said that one thing the police had learned from the Hungerford massacre was that rather than focusing on guns, “We need to concentrate much more on the individual. We feel very strongly that this is the most important change we can make.”¹³³

The committee’s chairman, Sir Ivan Lawrence, QC, MP, said that since 1989, armed crime had increased by 500% while the number of firearm certificate holders had diminished by 20%. According to Sir Ivan, only 4% of criminal firearms could be shown ever to have been legally owned in the UK, while in the case of the other 96% the police did not know where they came from and there was nothing they could do about them. As most crime was committed by criminals he wondered whether tightening the rules on lawful owners would do anything to reduce armed crime.

The Right Honourable David Maclean, MP, minister at the Home Office, said that he had no statistics as to the proportion of crime guns held on certificate, but that as a matter of common sense, robbers would be unlikely to commit a crime armed with their own certificated weapons. He said that further controls on legal firearms “will only have a limited impact on criminal use”. Mr Maclean continued, “We could reduce the numbers of target shooters but it would not affect criminals.” He said that the number of legal firearms in private hands had fallen ever since 1920, and that his purpose was to reduce illegal weapons and not to torment the law abiding. He said of the police, “They very rarely see a problem with legal ones.” Banning anything, Mr Maclean continued, gets one onto dangerous subjective ground. The focus had to be on inadequate individuals and identifying them.

Dame Jill Knight, MP, noted that a 1993 report by Her Majesty's Inspectorate of Constabulary had found only one force that checked offenders against the firearm and shotgun certificate database. Mr Maclean assured her that he was satisfied that the police do now check adequately into background.¹³⁴

Unfortunately, the views expressed by Mr Sharples and Mr Maclean at this meeting were not reflected in the written submissions to Lord Cullen's inquiry from the police staff associations of England and Wales and from the Home Office. The Home Office sought to associate the level of legal ownership of firearms with the level of armed crime, primarily through fallacious cross-national comparisons, and implied the need for stricter controls on the private ownership of firearms. For decades it has already openly been the Home Office's policy to reduce the number of firearms in legal ownership. (The Home Office's written submissions, as well as a thorough and authoritative refutation of them, are contained in the book edited by Munday and Stevenson in the bibliography.)

Both the Home Affairs Committee and Lord Cullen's inquiry rejected a ban on any class of handgun, and instead made recommendations for improving the licensing procedures. Lord Cullen's report proposed that certificated handgun owners should be allowed to keep their guns at home, provided they were fitted with a disabling mechanism. However, Home Office scientists claimed that the proposed disabling mechanism could be removed with metalworking tools.

The Home Secretary, Mr Howard, completely ignored these recommendations, and published the present Firearms (Amendment) Bill, which is intended to outlaw all handguns of greater than .22 capacity. It will be illegal to keep a handgun at home, and the remaining .22 pistols must be stored at gun clubs, which will be subject to stricter security requirements. If, as is probable, the bill becomes law, it will lead to the confiscation of some 160,000 handguns, 80% of the total, the closure of many gun manufacturers, dealers and clubs, and the consequent loss of some 2,000 jobs, including those of experienced gunsmiths who are unlikely to obtain another job. Gun clubs and shops are to be denied compensation by Home Office ministers, who hope to limit the payout to £50 million, against a total estimated value of about £1 billion. One Whitehall official has said, "Shooters will not find us in a generous mood."¹³⁵ Gun owners will be paid an average of £250 per gun, but receive no compensation for accessories, spare parts or storage cabinets. Gun clubs will receive no compensation, and gun shops will be compensated for loss of stock only. In short, the Firearms (Amendment) Bill represents a massive confiscation of legally-held private property from individuals who have committed no criminal offence, and is unprecedented outside of war and nationalisation. Nobody has demonstrated — or even attempted to demonstrate — that it will reduce armed crime. Law-abiding shooters, some of whom have been decorated for their service in the armed forces of this country, and all of whom have gone out of their way to co-operate with the police and other officials, are being punished precisely because they have always obeyed, and will continue to obey, the law of the land. Meanwhile professional gangsters, killers and robbers from the four corners of the earth tote their sub-machine guns and assault rifles in the streets of our cities completely outside the reach of the law. And the government which is introducing this bill is prepared to sit at the negotiating table with murderers from the IRA, with a view to acceding to at least some of their political demands, without even requiring as a pre-condition that the terrorists surrender the weapons they have used to slaughter thousands of people.

The only reason anyone has suggested for the present bill was that opinion polls show that a majority of the population wants a handgun ban, as a result of the hysteria which has been

whipped up by the deliberate lies of much of the media and many politicians. After Dunblane public opinion certainly turned drastically against the legal private ownership of guns. Several times since Dunblane I have defended the freedom to own handguns and found myself on the receiving end of a torrent of abuse from people who are otherwise entirely calm and rational. I have recently appeared on two BBC television talk shows on the subject of guns. At one of them, hosted by Jeremy Paxman, who was scrupulously fair to both sides, a large group from the audience viciously abused and insulted Carol Page, the champion shooter who represented Britain at the 1996 Atlanta Olympics, and who had defended the right to own handguns for sporting purposes. In the other, the presenter, Robert Kilroy-Silk, ridiculed, humiliated and continually interrupted defenders of the right to own handguns while giving supporters of a handgun ban generous opportunities to express their views and vent their hostility on the members of the "gun lobby". Mr Kilroy-Silk, who knew what my opinions were, ignored my requests to contribute to the discussion, while giving some members of the other side three or four opportunities to speak. Altogether, that edition of *Kilroy* extended the Five Minutes Hate in Orwell's *Nineteen Eighty-four* to three quarters of an hour.

There is nothing surprising about this, given the way the media has covered the issue. The strength of people's emotions on the subject are in inverse proportion to their knowledge of it. In the 18th century, Daniel Defoe said that you could get 100,000 men to fight against popery without knowing whether it was a man or a horse. Things have changed little since then. One simply cannot argue with many supporters of a handgun ban, some of whom actually take pride in their ignorance about guns and the law relating to them. Some even regard knowledge about these subjects as being disreputable and deserving of suspicion, going the full length of the slogan in Orwell's masterpiece that "Ignorance Is Strength".

The attitude of the present government in bowing to the frenzy of the mob should be compared with that of the Labour government which abolished capital punishment for murder in 1965. At that time, it was known that the large majority of the population wanted to retain the death penalty for this offence. However, the government believed, rightly or wrongly, that the death penalty was fundamentally wrong, and took the view that ministers and MPs had the responsibility to exercise leadership and do what they considered to be right, even if it contradicted the current wishes of the majority of voters. The abolition of capital punishment for murder in 1965 certainly created a massive uproar from much of the public and many MPs, but the government of the day refused to bow to this pressure. Whatever one's opinion about the Labour government of 1964-70 — and I must confess that mine is not one of unbounded enthusiasm — one must accept that they did have some conception of principle which stood above simply getting the largest number of votes in the immediate political situation. The present government is actually bringing about a change in the law which it knows to be futile, irrelevant to the real problems and destructive of individual freedom and the concept of individual responsibility for crime, for no other reason than its concern to grab as many votes as possible at the forthcoming general election. The Conservative Party has won four successive general elections on pledges to increase individual liberty and responsibility, and to reduce the interference of the state in the everyday life of the people. The present Firearms (Amendment) Bill is a demonstration of the squalid fraud those pledges have turned out to be.

CONCLUSION

In closing, let us repeat that the belief that society has suddenly entered a new and more violent phase has been a perennial theme in Britain for at least the past 250 years. A study of the evidence demonstrates that violence has indeed substantially increased in recent decades, although the risk of a given person becoming a victim of such violence is still rather small. While the level of violence is certainly a matter for legitimate concern, what is needed in order to solve the problem in the long term is, apart from a study of what makes some young people turn violent, a study of what makes the large majority of young people choose a more positive path in life than that of crime and violence. Long-term institutional reform of family upbringing, of education, and other institutions of society, to give individuals greater responsibility, a greater appreciation of themselves and their abilities to achieve valuable goals in life without crime or violence offers the prospect, over a period of decades, of the development of a new generation in which these changes will have positive benefit.

Rather than face the problematic task of bringing about such a transformation, "society" — and whether there is such a thing or not is a question beyond the scope of this paper — has responded in the worst possible way. Rather than accept the fact that crimes and violence are the actions of volitional and autonomous individuals, and choosing an appropriate response, "society" has focused on the outlawing of inanimate objects such as guns and knives, which are neither good nor evil in themselves. No distinction is made in law between the criminal using these or other tools to commit violence and the law-abiding individual who uses them to defend himself or herself against the initiation of violence by the criminal. The present Firearms (Amendment) Bill is an outrage against reason, against the truth, against individual liberty and against personal responsibility. Tens of thousands of the most law-abiding individuals in the country who participate in the safe, responsible and lawful use of handguns for sporting purposes are being punished as if they were somehow responsible for the atrocity at Dunblane. Meanwhile, those professional criminals who use illegal guns to commit crimes are entirely untouched by the law.

It is not only the sporting shooters who will pay a high price for this act of tyranny, mob rule, intimidation and stupidity. In the medium and long term, we will all pay a heavy price. The prognosis is not good for a "society" which is guided in its law-making by the sort of malevolent, hysterical and mendacious propaganda onslaught which much of the media, including some so-called "quality" newspapers, has thrown at us since March. I have endeavoured in the present paper to demonstrate the documented facts about firearms ownership which contradict the lies propagated equally by the *Independent* and the *Sunday Times* as by the *Sun* and the *Daily Mirror*. Even if the reader has a personal distaste for guns and other weapons, it is to be hoped that he or she recognises the extreme danger manifested in the government's approach. Britain is a nation whose Parliament was once admired throughout the world — whether entirely justifiably or not — as the embodiment of responsible, informed decision-making by individuals, regardless of political party, who were conscious both of the heritage of liberty and the rule of law and of their personal obligation to sustain that liberty and rule of law for future generations, whatever the immediate political pressures might be. Now Parliament is beginning to make its laws by surrendering to the frenzied, irrational hatred of the mob, whose passions have been whipped up by the crudest propaganda techniques known to mankind. The long-term consequences of adopting such an approach to legislation may be far more terrifying than anybody has so far suggested.

SUGGESTIONS FOR FURTHER READING

The following, while by no means a complete bibliography on the subjects discussed above, are the works I have found most useful in understanding them. Where I am aware of errors, I have mentioned them, not through any desire for intellectual "one-upmanship", but because of the necessity for the strictest accuracy on these subjects. The present situation, I believe, is one where pedantry is entirely justified. Needless to say, the inclusion of any work in this list does not necessarily imply that its author shares the opinions expressed in this paper.

Colin Greenwood, *Firearms Control*, Routledge and Kegan Paul, London, 1972

The author was a superintendent with the West Yorkshire Constabulary, and is now editor of *Guns Review*. For many years he trained police officers in the use of firearms and led them in armed operations. In 1970-71 he became a Cropwood Fellow at the Cambridge University Institute of Criminology, studying the history and practice of the law on firearms in England and Wales. This book, the result of his researches, was the first full-length study of the subject. It demonstrated conclusively that the level of armed crime was far lower before there were any restrictions on the private ownership of firearms than afterwards. The ever-increasing restrictiveness of British firearms law had always been ill-informed and carried out for immediate political gain rather than through any study of the relevant facts. A thorough study of the practice of enforcing the firearms laws demonstrated that the system was entirely irrelevant in dealing with armed crime. The book is a landmark in our understanding of the subject, and is very highly recommended to those who prefer truth to propaganda.

Don B. Kates (editor), *Restricting Handguns*, North River Press, np, 1979

A collection of essays by eight experts on the subject of the legal control of handguns and other firearms. Most of the authors are American "liberals" in law and academe who dissent here from the advocacy of strict gun control which is an orthodoxy among American "liberals". The book includes a contribution by our own Superintendent Greenwood.

Geoffrey Pearson, *Hooligan: A History of Respectable Fears*, Macmillan Education, London, 1983

The author, who is currently professor of social work at Goldsmith's College, London, traces the history of the fear of crime and violence back through each historical era to the 18th century, with a detailed examination of the sources. He emphasises the difficulty in determining the reality of the level of violence, as distinct from the degree of public concerns about it, at any given historical moment. Recommended.

Don B. Kates (editor), *Firearms and Violence*, Pacific Institute for Public Policy Research, San Francisco, 1984.

This is an encyclopaedic collection of studies by 17 academics and lawyers, covering every area of the gun ownership issue from a perspective sympathetic to private firearms ownership. Some of these scholars, including Professor James D. Wright, former president of the American Sociological Association, began their studies advocating stricter firearms control, and became convinced of the opposite case as a result of their researches. This is an exceptionally broad and authoritative overview of the subject, and is highly recommended.

Patrick Bishop and Eamonn Mallie, *The Provisional IRA*, first published 1987, Corgi Books/Transworld Publishers, London, 1988

This very thorough history demonstrates how the Provisional IRA developed from the earlier phases of Irish republicanism and became a highly effective and close-knit terrorist organisation. Of special relevance to the current discussion is that it shows just how a heavily-armed organisation has carried out terrorist operations

throughout the UK, and exercised de facto control over certain parts of Northern Ireland, over a quarter of a century, despite the best efforts of the British authorities. It should be obvious from reading this book that any attempt by the state to control the illegal ownership of firearms will inevitably be limited in its impact.

Sean Gabb, *Gun Control in Britain*, Political Notes No. 33, Libertarian Alliance, London, 1988

A short and useful critique of British firearms law from a libertarian perspective.

Tony Jackson, *Legitimate Pursuit*, Ashford Press Publishing/ British Association for Shooting and Conservation, Southampton, 1988

The author is the former editor of *Shooting Times*. This is a critique of the proposals in the Firearms (Amendment) Bill 1988, which followed the Hungerford massacre, from a sporting shooter's point of view. The author repudiates the ownership of guns for self-defence. The campaign against the bill, of which this book was a part, was unsuccessful: self-loading and pump action centre-fire rifles and self-loading and pump action shotguns with a magazine capacity of more than two shots were banned under the 1988 Act.

David Botsford, *The Case Against Gun Control*, Political Notes No. 47, Libertarian Alliance, London, 1990.

My own pamphlet was probably the first publication of any length in Britain which explicitly defended, at least in principle, the historic right of the individual in British law to own weapons for self-defence purposes. I stress, however, that the practical means by which that right might be restored is a complex issue which cannot be achieved overnight, and should be approached with the highest degree of caution and consideration of all the relevant factors.

The pamphlet contains a couple of minor errors: the US government body controlling firearms is the Bureau of Alcohol, Tobacco and Firearms (page 11); it is the Duke of Atholl who is the only individual in Britain with a legal private army (page 13).

Chris R. Tame, "Freedom, Responsibility and Justice", in Kevin Stenson and David Cowell (editors), *The Politics of Crime Control*, Sage Publications, London, 1991.

This essay is a comprehensive survey of the scholarly literature on crime and violence which has been produced from a "new right" perspective in both the UK and the US, stressing the role of individual responsibility and autonomy. It contains an extensive and very useful bibliography. The other essays in this volume, which are written from different perspectives on crime, are also of value. Highly recommended.

David B. Kopel, *The Samurai, the Mountie and the Cowboy*, Prometheus Books/Cato Institute, Buffalo, New York, 1992

This is a thorough and wide-ranging comparative study of firearms law in Japan, Britain, Canada, Australia, New Zealand, Jamaica, Switzerland and the United States, written by an American lawyer. The author emphasises that differences in the history, society and political culture are essential factors in shaping each country's attitude towards private firearms ownership. Highly recommended.

I spotted a couple of very minor errors in the chapter on Britain — "the 1967 Shephard's Bush murders" should read "the 1966 Shepherd's Bush murders" — which do not detract from the value of the work.

Tony Thompson, *Gangland Britain*, Hodder and Stoughton, London, 1995

The author is a journalist who investigated the numerous gangs — foreign as well as home-grown — now operating in Britain, attracted in large part by the profits to be made from selling illegal drugs, and in most cases armed with illegally-owned guns. It is a fascinating yet disturbing account of the increase in organised

crime in the UK, and the challenges faced by law enforcement in dealing with it.

The one factual error I spotted is the repetition of the myth that the Glock 17L 9mm semi-automatic pistol, which is largely made of plastic, cannot be detected by airport metal detectors. Robert Adam, a rifle, pistol and shotgun shooter, handgun importer, builder of British custom handguns and contributing editor to *Guns and Weapons User* — who is doubtless very popular with the Snowdrop campaign — explains the fallacy: "In fact, the Glock still has a steel slide and barrel which contains more metal than some conventional lightweight pocket pistols, and both the Glock and its metal-cased, metal-primed, and metal-bulleted 9mm ammunition are readily detectable by existing security devices."¹³⁶

Richard Munday and Jan A. Stevenson (editors), *Guns and Violence*, Piedmont Publishing, Brightlingsea, Essex, 1996

This book reproduces some of the evidence to Lord Cullen's inquiry into the Dunblane massacre. It includes selections from the submissions by the Labour Party and the Home Office, which sought to claim a link between the lawful availability of firearms and a high rate of armed crime. This claim is thoroughly refuted by leading firearms experts, including the editors, Superintendent Greenwood and Professor Richard Horrocks. It is a work of exceptional value, and a thoroughly documented demolition of current myths on the subject. If the reader has time to read only one book in the current debate on firearms, it should be this one. The lack of an index, however, is a significant drawback.

It is worth noting that the *Sunday Times*, instead of attempting to answer the facts and arguments in this book, tried to cast doubt on Mr Stevenson's integrity: "Doubts have arisen about the tactics of certain members of the gun lobby as well as the arguments they have put forward. Last week the first book about the Cullen inquiry was published by Piedmont Publishing. It is co-edited by Jan Stevenson, who is described in the book as "one of the world's leading small arms authorities" and challenges the view that a high level of gun ownership leads to more crime. An accompanying press release failed to mention that Stevenson is the owner of Piedmont Publishing and that he is chairman of the hardline Shooting Rights Association [*sic* — actually the Shooters' Rights Association]. He is also a former non-executive director of Delta Training, one of whose trainees was shot dead during a simulated terrorist incident in 1988. In 1991 he was fined £500 for allowing firearms to be used by an unauthorised person."¹³⁷

Are we expected to conclude that it is somehow disreputable for Mr Stevenson to publish his opinions using the publishing company he owns? If so, where does that leave Rupert Murdoch, owner of News International, whose newspapers (including the *Sunday Times*) favour a handgun ban? Is there something wrong with being chairman of a group arguing for individual rights? Does the fact that Mr Stevenson was once a non-executive director of a company in which a trainee was killed mean that he was somehow responsible for the death? And what does the fact he was once fined for "allowing firearms to be used by an unauthorised person" mean? The Right Honourable Douglas Hurd, MP, was once fined for having a shotgun without a licence, but I not recall the *Sunday Times* complaining about his fitness to further restrict the ownership of shotguns under the Firearms (Amendment) Act 1988 when he was Home Secretary. That is all the *Sunday Times* has to say about the book. *Sunday Times* reporters can be relied upon to piously avert their eyes from anything which might require them to re-examine their proprietor's prejudices. Perish the thought that they should be expected to address such things as facts! What have they ever had to do with Murdoch-style journalism?

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