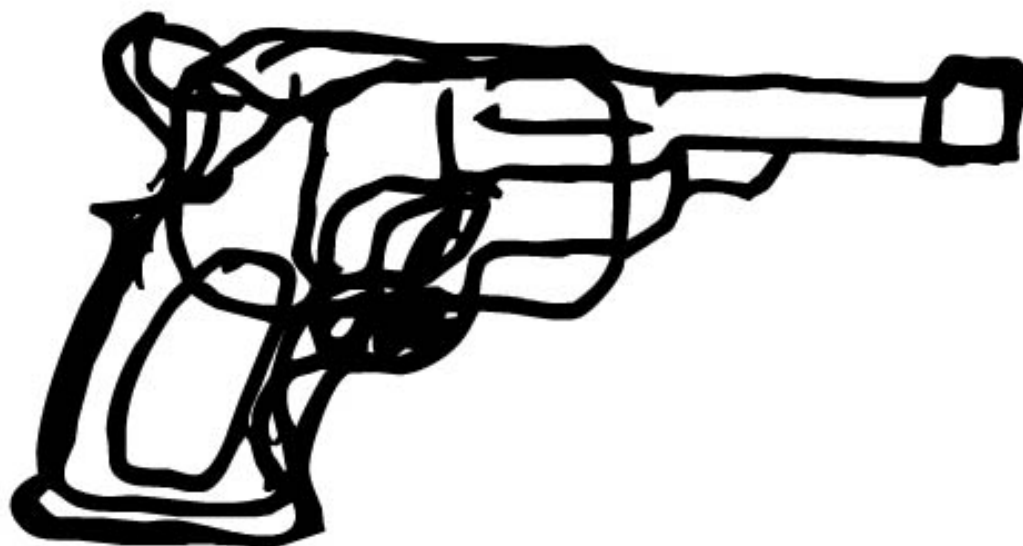


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All Party Parliamentary Group on gun crime

Combating the threat of gun violence



**A report of parliamentary hearings
November 2003**



The All Party Parliamentary Group (APPG) on gun crime was set up in May 2003 following the apparent rise in recorded gun crime figures in the UK and the public's growing concern over the issue. Members of the group felt that there was an urgent need to have a greater understanding of gun crime within Parliament to ensure that it was kept high on the Government's agenda.

The APPG held three hearings, taking evidence from law enforcement officials, families of the victims of gun violence, those working in local community groups and organisations working internationally to tackle gun crime. The key aim of these hearings was to establish the nature of gun crime and how this growing problem could effectively be addressed. The diverse nature of the witnesses and members created an opportunity to learn more about the cause and effect of gun violence across the UK.

This report sets out some of the key themes taken from the oral and written evidence presented to the APPG. These themes are drawn from the current practices of the police, legislation surrounding firearms, the importation and source of illicit weapons and the work done in the communities to prevent and cope with gun violence. Recommendations have been put forward to further improve the operation of law enforcement agencies, strengthen legislation and develop partnerships with community organisations for the prevention of gun crime.

We see this report as a starting point to aid better understanding of the nature of gun crime and hope this will instigate a broader debate at all levels.

Diane Abbott MP
Chair of the All Party Parliamentary Group on gun crime

Baroness Anelay - Vice Chair
Simon Hughes MP – Vice Chair
Stephen McCabe MP- Vice Chair
Tony Lloyd MP– Secretary

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Fig A. Witnesses and members at the hearings

Hearing 1 – Law enforcement

25 June 2003

Detective Chief Superintendent Jon Coles
Assistant Chief Constable Nick Tofiluk

Operation Trident – Metropolitan Police
Operation Ventura – West Midlands Police

Detective Chief Constable Greame Pearson
Ms Jan Berry

Association of Chief Police Officers Scotland
Chair, Police Federation for England and
Wales

Inspector Mark Powell

Manchester Multi Gangs Strategy Unit

Detective Chief Superintendent Sharon Kerr

Head of SCD7, the Serious and Organised
Crime section of Metropolitan police

Members in attendance

Diane Abbot MP
Steve McCabe MP
Bob Marshall Andrews MP
Vincent Cable MP
Charles Hendry MP

Hearing 2 – Victims and community initiatives

2 July 2003

Jayne Atkinson

A member of the Gun Control Network whose
son was killed in an airgun accident

Steve Walker

A member of the Gun Control Network whose
son was murdered using a reactivated Uzi
machine gun

Beverly Thomas

Mother of Charlene Ellis, who was killed after
being caught in the cross fire in Birmingham
in 2003

Marcia Shakespeare

Mother of Letisha Shakespeare, killed
alongside Charlene Ellis

Sandra Thomas

Mother of Cheryl Shaw, injured in the same
shooting as Charlene Ellis and Marcia
Shakespeare.

Tony Walker

Partners Against Crime (Birmingham)

Bill Brown

Disarm Trust (Birmingham)

Lucy Cope

Mothers Against Guns (London), her son,
Damian Cope, was shot dead outside a night
club in July 2002.

Rev. Nims Obunge

Peace Alliance (London)

Members in attendance

Diane Abbott MP
Bob Marshall Andrews MP
Charles Hendry MP
Khalid Mahmood MP
Steven McCabe MP
Jonathon Shaw MP

Hearing 3 International perspectives on gun crime 15 July 2003

Col. Agron Sojati	Southeast Europe Cooperative Initiative Regional Centre for Combating Transborder Crime (Bucharest)
Mr Andy McLean	Saferworld
Mr Alan Green	Chair, Association of Chief Police Officers firearms committee
Mr Andy Grayhurst	Head of Firearms Crime Intelligence Section, National Criminal Intelligence Service (NCIS)
Mr Keith Bristow	Director UK, NCIS
Members in attendance	Diane Abbot MP Charles Hendry MP Robert Marshall-Andrews MP Tony Lloyd MP

Acronyms

ACC	Assistant Chief Constable
ACPO	Association of Chief Police Officers
ACPOS	Association of Chief Police Officers Scotland
AFO	Authorised Firearms Officer
APPG	All Party Parliamentary Group
ATEO	Airgun Training and Education Organisation
DCC	Detective Chief Constable
DCS	Detective Chief Superintendent
GCN	Gun Control Network
NCIS	National Criminal Investigation Service

SUMMARY OF RECOMMENDATIONS

Policing gun crime

We conclude that the universal arming of police should not be introduced. (*Paragraph 8*)

We recommend the numbers of Authorised Firearms Officers should be increased to ensure the police have adequate armed units on-call to continue more targeted operations. (*Paragraph 9*)

We recommend a review of the procedures following an incident involving the use of firearms by the police to ensure that police officers return quickly to operational duty unless there are good grounds for believing that a serious breach of discipline or offence has occurred. (*Paragraph 10*)

We recommend that police forces improve coordination and information exchange on the issue of gun crime at an operational level. (*Paragraph 13*)

Comprehensive witness protection schemes should be extended to gun crime incidents in order to gain the trust of communities and secure more convictions. Increased financial support should be made available to the police, local authorities and social services to allow witnesses of gun violence to be protected and offered relocation. (*Paragraph 14*)

We note that there is a perception that the police are not prosecuting perpetrators of gun crime because of their role as informants. We recommend that the police explain and review their system of informants regarding gun crime and address the detrimental effect this appears to be having on the public's trust of the police. (*Paragraph 16*)

Hospitals and all medical practitioners and establishments should be obliged to report gunshot wounds to the police. We fully support the guidance issued by the General Medical Council to their members in September 2003 to report gunshot wounds to the police. (*Paragraph 17*)

The Government should continue to support community-led initiatives working in partnership with police and local authorities on gun crime to help leaders of various communities to tackle gun violence in their areas. (*Paragraph 19*)

Legislation

We recognise that there is a strong case for a ban on the manufacture, sale, transfer and importation of all imitation weapons, notwithstanding perceived difficulties in relation to definition and enforcement. We further believe that the ease with which imitation weapons can be obtained through a variety of methods of sale should be immediately addressed (*Paragraph 33*)

We recommend that all deactivated weapons imported into the UK or transferred domestically must be deactivated to the post-1995 standard. (*Paragraph 30*)

We recommend that the government amend the Anti Social Behaviour Bill to universalise the minimum age for possession and use of airguns to 17 years old. (*Paragraph 25*)

We recommend that the courts ensure that penalties in cases of airgun misuse are enforced. (*Paragraph 28*)

We welcome the steps taken by the Government in the Anti Social Behaviour Bill (2003) to ban the sale, importation and distribution of Air Cartridge weapons. However we are aware that this will leave large numbers of convertible air weapons already owned by the public in circulation. We therefore recommend that the law be reviewed after two years of implementation to assess whether the new licensing regime has reduced the criminal use of converted air weapons and whether further controls are necessary. (Paragraph 27)

We recommend that gun crime statistics should be released on a quarterly basis to give a more accurate assessment of the current levels of crime for the law enforcement agencies and the public. (Paragraph 34)

We recommend that the Home Office clarify the objectives of its gun crime fund and lay out the criteria on which it bases its funding decisions in order to make it easier for community groups to access resources. We propose this fund should be permanently established and its level reviewed annually to ensure it is providing adequate support to community gun crime initiatives. (Paragraph 35)

International dimension to gun crime

We recommend that UK Customs and Excise prioritise the issue of illegal importation of illicit firearms and parts and include intelligence gathering on the subject as part of their business plan. (Paragraph 40)

We recommend that there is a review of Customs clearance of parcels entering the UK via private companies. (Paragraph 40)

We recommend that there is greater inter agency cooperation between UK police and intelligence services and law enforcement agencies from other countries. (Paragraph 39)

The Government and its EU partners should increase their work with EU applicant countries to tighten their arms export controls before they are admitted to the EU. (Paragraph 42)

The Government should support initiatives to remove weapons from circulation in the source countries, improve management of government stockpiles and address arms trafficking. (Paragraph 41)

The Government should honour its election manifesto commitment and implement full extra territorial controls on UK arms brokers operating abroad. (Paragraph 44)

Introduction

Defining gun crime

1. Detective Chief Superintendent Sharon Kerr of the Metropolitan Police told the APPG that a gun is an “enabler” of crime, rather than a crime in itself. Guns can be used to threaten, murder, or simply guarantee respect through their possession. The term gun crime therefore covers many types of criminality and illegal behaviour. Understanding this is crucial, particularly when quoting statistics. For example in London between the period of 2001-2002 gun crime in general rose by 37% but commercial armed robbery fell by 42%.

The rise in gun crime in the UK

2. Gun crime in the UK rose 35% in the period 2001 – 2002 according to Home Office figures, with the National Criminal Intelligence Service (NCIS) putting the rise at 41% over the last two years¹. In addition figures released in October 2003 showed a 3% increase in the period 2002 - 2003. However it should be noted that the law enforcement officials who gave evidence stated that in the beginning of 2003 gun crime fell in Manchester by 2% and London has seen a 12.5% reduction this year. However this figure excludes air cartridge weapon crime and of the firearms seized by Operation Trident officers between January and September 2002, 72 per cent of weapons had been converted from an air weapon, blank firer or starter pistol (see page 14). Thus, there are real concerns about how statistics are recorded (see page 16).

Fig 0.1 Notable offences recorded by the police in which firearms were reported to have been used, by principal weapon, England and Wales, 1990 to 2001-02

	<u>Airgun</u>	<u>Shotgun</u>	<u>Handgun</u>	<u>Other (a)</u>	<u>Total</u>
1990	5,380	1,193	2,537	1,263	10,373
1991	5,464	1,569	3,430	1,666	12,129
1992	6,098	1,494	4,023	1,726	13,341
1993	6,337	1,592	4,273	1,865	14,067
1994	7,165	1,190	3,087	1,725	13,167
1995	7,568	983	3,319	1,564	13,434
1996	7,813	933	3,347	1,783	13,876
1997	7,506	580	2,648	1,676	12,410
1997-98	7,902	565	2,636	1,702	12,805
1998-99	8,665	642	2,687	1,880	13,874
1999-00	10,103	693	3,685	2,465	16,946
2000-01	10,227	607	4,019	2,736	17,589
2001-02	12,340	711	5,871	3,392	22,314

(a) Includes starter guns, rifles, prohibited weapons, imitation and supposed weapons

Source: House of Commons research paper 03/34, the Anti Social Behaviour Bill 2003

Changing nature of gun crime in the UK

3. DCS Jon Coles of London’s Operation Trident explained that the use of the gun in crime has changed. Once the preserve of the “professional” criminal for contract killing, armed robbery and aggravated burglary, the gun is now being used more widely. The professional criminals have been joined by what he termed “disorganised criminals”, who use a variety of firearms to settle disputes related to drug dealing activity, turf or minor gang wars or in response to disputes linked to “disrespect”. The problem has been compounded by the arrival of gangs from different communities some of whom have brought a propensity to commit crimes of violence and with that, the use of the gun to commit the crime.

¹ NCIS UK Threat Assessment 2002 ‘The threat from serious and organised crime’ www.ncis.gov.uk

Reasons for the increase in gun crime

The drugs trade

4. Many witnesses expressed that there is a real problem of gun violence in the inner cities, in particular within the black and other ethnic minority communities. Members of the group were told by the police and community workers that one of the key reasons for the rise in the carrying of guns in the cities was due to a new breed of criminality based around the crack cocaine trade. Assistant Chief Constable Nick Tofiluk of West Midlands Police Operation Ventura states in his submission to the APPG, “increases in criminal use of firearms are intricately linked to the supply of class ‘A’ drugs”².

Fig 0.2 The link between drugs and gun violence.

According to DCS Jon Coles of Operation Trident, “The group who make up about 60% of Trident’s work are drawn to the drugs trade through poor education, lack of job opportunity and a desire to meet certain aspirations, including lifestyle and wealth. They can only achieve this through dealing drugs, which then leads to the need to protect their trade by the possession of guns. Once in possession of a firearm, it is not long before the inclination to use a gun to defend one’s territory or in a ‘disrespect’ dispute becomes the norm. Retribution and reprisal attacks follow”

Social exclusion

5. Bill Brown of Birmingham’s Disarm Trust told the APPG “if you look at the majority of these incidents (of gun crime) they take place in the most deprived areas of the country, where there is a lack of regeneration, schools, health and employment”. It is clear that although gun violence is a crime that affects various areas of the country, the rises are based in certain areas of the large cities. The Reverend Nims Obunge of the Peace Alliance said in his evidence at the hearings that when he spoke to those young people who had been convicted of gun crime he found they had all been excluded from school and sent to pupil referral units where they were exposed to people already involved in crime, they told him “the schools gave up on us”. Tony Walker of Partners Against Crime said the gang culture in Birmingham was in part due to the “unacceptable numbers of young men being excluded from school from age 12 and up”.

Glamour of the gun?

6. Although it is hard to quantify the effects of violent imagery of guns in computer games, films and music, there have been incidents to suggest that glamorisation of gun use has contributed to the problem. The high profile arrests of some music artists, has led to the view that certain urban music styles are encouraging gun violence and an acceptance of carrying guns. However in their defence members of these groups have said that their lyrics and videos are only a reflection on what is happening on British streets and the accusation that they are causing violence is deflecting the argument from the underpinning issues of social deprivation and drug use³. Earlier this year the Home Office gave £70,000 towards concerts featuring urban acts aimed at discouraging youths from getting involved in gun crime.

Fig 0.3 Working with children to change attitudes to guns

Linda Mitchell is the mother of a child who survived an air gun attack. Since the airgun attack she has worked with Infer (the educational arm of the Gun Control Network) to raise awareness of gun issues by going into schools and speaking to children in order to change attitudes. In a three-month period she spoke to ‘thousands’ of children in the schools and on the streets of the northwest. In her evidence to the APPG hearings she said, “The fact is children are simply fascinated with the gun”. In her submission she said that the only way to change this attitude is for children to be taught the dangers and consequences of gun use at an early age.

² Submission from ACC Nick Tofiluk (page 37)

³ The Guardian, 6th January 2003 ‘Minister labelled racist after attack on rap ‘idiots’

Chapter 1 Policing gun crime

7. In order to address the diverse nature of gun crime a comprehensive and holistic approach is required. However at present different forces and units of the police service and other law enforcement agencies work on different aspects of the gun crime problem. This can create either intelligence gaps or a duplication of efforts. To overcome this disjointed approach greater cooperation across national police forces and within forces and other agencies, such as customs, is necessary. Greater cooperation with communities and relevant local services is also required.

Armed police

8. The recent focus on gun crime has increased the debate as to whether police officers should be armed as standard. No police submission to the APPG made a recommendation to fully arm all police officers and nearly eight out of ten police officers were against routine arming in the most recent survey⁴. However, Marcia Shakespeare and Beverly Thomas, the mothers of Letisha Shakespeare and Charlene Ellis who were killed in Birmingham at the New Year, told the APPG that police should be armed. A recent public opinion poll found 85% of respondents support the view that more police need to be armed in one form or another⁵. Lucy Cope of Mothers Against Guns whose son was killed in a shooting said though that an increase in visible armed police would lead to "serious retaliation" by criminals carrying guns, a sentiment echoed by ACC Nick Tofiluk of the West Midlands police who preferred specialist armed teams working in a targeted way that has been proven to help prevent gun violence. In his submission to the APPG ACC Tofiluk expresses his concern, "We are walking a dangerous path of potentially increasing violent confrontation that may result in the steady increase in the deployment of firearms by the police, the reactive effect of which is uncertain"⁶. **We conclude that the universal arming of police should not be introduced.**

Authorised Firearms Officers (AFO's)

9. According to the Police Federation armed police units have ensured that the police are able to respond quickly to incidents as they happen. In her submission to the APPG, Police Federation Chair Jan Berry said that one of the obstacles to tackling gun crime has been the fall in numbers of Authorised Firearms Officers (AFOs) over the last five years, a reduction of over 800, from 6,585 in 1997-98 to 5,776 in 2001-02. The ratio of AFOs to gun crime incidents varies across the country, for example the City of London police in 2001-02 had 14 AFOs for every incident compared with a ratio in the West Midlands of 0.09. A recent survey found that nearly four in ten police officers are dissatisfied with the availability of armed support.⁷ **We recommend the numbers of Authorised Firearms Officers should be increased to ensure the police have adequate armed units on-call to continue more targeted operations.**

10. Police officers involved in firearms incidents are often out of service for exceptionally long periods of time whilst under investigation. The APPG heard evidence from witnesses to say that this process took too long and often had detrimental effects on morale and operation effectiveness. **We recommend a review of the procedures following an incident involving the use of firearms by the police to ensure that police officers return quickly to operational duty unless there are good grounds for believing that a serious breach of discipline or offence has occurred.**

⁴ ERS market research poll 2003 – 78% of officers surveyed opposed routine arming. As referred to in the submission to the APPG from the Police Federation (page 28)

⁵ Source: ICM poll 2003 conducted on behalf of the Police Federation of England and Wales. As referred to in the submission to the APPG by the Police Federation (page 28)

⁶ Submission from ACC Nick Tofiluk (page 37)

⁷ ERS market research poll 2003 – 38.5% of police officers surveyed dissatisfied with the availability of armed response.

Fig 1.0 Successful Armed Firearms Officer operations in Manchester

The use of Authorised Firearms officers by the Greater Manchester Police has proved to be successful, for example:

Operation Goodwood and Operation Starlight – Armed patrols in specific areas in support of local officers and targeted campaigns alongside local officers.

Operation Jugular – The use of armed officers to escort high value cash transit deliveries over the Christmas period.

Multi-agency response to gun crime

11. The need for an effective multi- agency response to the issue of gun crime was made clear in all three hearings and in the submissions. The work of Operation Trident, the Manchester Multi Gang Strategy Unit and other operations, that have links beyond the police force, in the community or with other government agencies (such as the social services) were all given as examples of good practice. Given the links between social exclusion and gun crime it is vital that the problem is addressed as a social one and not simply a law enforcement one.

12. DCS Sharon Kerr told the APPG that this method of working through partnership with other agencies and groups had led to a drop in commercial armed robbery in London of 42%. Reverend Nims Obunge told the APPG that his organisation, the Peace Alliance has not only worked to help families who are grieving the loss of someone to gun violence but have worked with the police and community to prevent revenge attacks. This method of handling the issues around a death can prevent further attacks but is also a way of building trust between the communities and the police, leading to more effective future strategies to tackle gun crime.

Fig 1.1 The Manchester Multi-Agency Gang Strategy Unit

Formed by the Greater Manchester Police this long-term project can receive referrals from any member of the public or any agency. The team works with the victims of gang violence as well as an independent advisory group, Manchester City Council, the Probation Service, Housing and the Social Services. The Association of Chief Police Officers firearms committee gave the Unit as an example of good police practice in their submission.

Inter force co-operation

13. A number of law enforcement agencies seem to work well on a local inter-agency level. However, there appears real scope for more co-operation nationally and internationally. The Police Federation say this is “an absolute priority and is the first step to reverse the present trend in gun crime”⁸. At present there is no forum for agencies to meet and share information below the level of Association of Chief Police Officers (ACPO). In his evidence DCS Jon Coles from Trident said that the lack of compatible intelligence databases is preventing UK forces from “talking to each other”. Gun violence is linked heavily to the drugs trade where there is a constant search to find new markets. As gangs are constantly moving to find new areas to do business, the guns move with them. ACC Tofiluk points to criminals moving into new markets and clashing with other gangs as one of the major cause of gun violence but concedes there are “major intelligence gaps as to our understanding of both networks and drugs supply mechanisms”⁹. Compounding this lack of information on movement of gangs and drugs is a lack of integrated forensic intelligence on weapons between forces; something ACC Tofiluk said is “urgently required”. From the evidence taken by the APPG it sometimes appears that there is more communication between the gangs in different cities than the police. **We recommend that police forces improve coordination and information exchange on the issue of gun crime at an operational level.**

⁸ Submission from Police Federation (page 29)

⁹ Submission from ACC Nick Tofiluk (page 37)

Witness protection

14. In many cases of inner city gun violence there is difficulty getting witnesses of the crime to come forward and give evidence. In the case of the murders of Charlene Ellis and Letisha Shakespeare there were a reported 100 people witness to the crime but as yet there have been no arrests in the case. As many of the people who perpetrate gun crime live in the same communities as the witnesses there is a fear of retaliation. Speaking about people's fear of the gang that killed her daughter, Beverly Thomas told the APPG, "If they are willing to kill two girls, they are willing to kill anyone, that's what people are scared of". Beverly Thomas and Marcia Shakespeare both asked for the Government to make it a legal obligation for witnesses to give statements.

15. DCS Sharon Kerr told the APPG that a pan-London meeting on setting up a witness protection scheme across boroughs was sparsely attended by Police Chiefs and subsequently little action has been taken. ACPO said in their submission that a working party had been set up to look into a national scheme but they had "no doubt" funding would become an issue. Their submission went on to say "if we want to gain the trust of the potential witnesses to gangland and gun crime police forces must show that they are totally resolved to protecting that witness"¹⁰. **Comprehensive witness protection schemes should be extended to gun crime incidents in order to gain the trust of communities and secure more convictions. Increased financial support should be made available to the police, local authorities and social services to allow witnesses of gun violence to be protected and offered relocation.**

Informants

16. Lucy Cope of Mothers Against Guns in her evidence to the hearing told the APPG that she felt Operation Trident knew her son's killer but because he is a police informant they have not arrested him. She went on to say that this use of those people carrying guns as informants was detrimental to efforts to build trust and encourage witnesses to come forward. Tony Walker of Birmingham Peace Alliance told the APPG that gunmen were on the streets because it "suits" the police to have them there because they are informants. He went on to say that if the police "totally changed that part of their strategic approach, in terms of using some of these perpetrators as informants then I think this will raise the trust of the community in the police". The Reverend Nims Obunge of London's Peace Alliance said that the "notion that police informers get away with serious criminality" is a reason for a lack of trust between the police and the black community. **We note that there is a perception that the police are not prosecuting perpetrators of gun crime because of their role as informants. We recommend that the police explain and review their system of informants regarding gun crime and address the detrimental effect this appears to be having on the public's trust of the police.**

Medical reporting of gun crime

17. At the time of the hearings of the APPG medical practitioners were not compelled to report gunshot wounds to the police. In their evidence ACPO said that the "serious nature of firearms crime outweighs concern about confidentiality"¹¹. In September 2003 the General Medical Council issued guidance, developed with ACPO, for its members working in accident and emergency departments to report incidents to the police¹². We encourage this move and hope it will improve communication between public services, in turn promoting greater understanding within both the police force and the health service. **Hospitals and all medical practitioners and establishments should be obliged to report gunshot wounds to the police. We fully support the guidance issued by the General Medical Council to their members in September 2003 to report gunshot wounds to the police.**

¹⁰ Submission from ACPO (page 21)

¹¹ Submission from ACPO (page 21)

¹² <http://www.gmc-uk.org>

Police and community groups

18. Witnesses acknowledged that in order to successfully combat gun crime all sides must be involved, able to trust each other and have a firm commitment to the problem. DCS Jon Coles said that to achieve success the police and the community must acknowledge that gun crime is an issue and have “shared ownership” of the problem.

Fig 1.2 Building trust between police and communities

Jason Fearon was killed at Easter 2003 outside East London nightclub, Turnmills. Police received information prior to the shooting, but according to the Rev Nims Obunge, of the Peace Alliance, “the right action was not taken”. Trust between the community and the police reached an all time low. However, through effective liaison between his organisation, the police and social services trust is being rebuilt and revenge attacks have been prevented.

19. Community witnesses noted that many affected people in the community are aware of the criminality in their area but for reasons including fear of recrimination, the notion of ‘grassing’ or being seen as a police informer and in some cases a historical lack of trust with the police, they are unwilling to report crimes or cooperate with the police. However, The Rev Nims Obunge made clear that community members must be encouraged to take responsibility in addressing these issues albeit at some risk to themselves. **The Government should continue to support community-led initiatives working in partnership with police and local authorities on gun crime to help leaders of various communities to tackle gun violence in their areas.**

20. Inspector Mark Powell of the Manchester Multi Agency Gangs Strategy Unit told the APPG that to achieve an effective sense of ‘community-based policing’ the police “need to do more than hold community meetings”. He said that police were increasingly trying to engage with schools, and with young children. He went on to say that greater coherence between public bodies such as social services would assist this but confusion over whether information sharing would breach the Data Protection Act was hampering this effort.

Chapter 2 Government policy and legislation

21. The gun laws in UK are amongst the strongest in the world. After the murder of 16 people at Hungerford in August 1987, the Government introduced the Firearms (Amendment) Act 1988, which banned the possession of certain self-loading and pump-action shotguns. It also established a Firearms Consultative Committee to advise the Secretary of State on the administration, enforcement and operation of the provisions of the Firearms Acts. After the murder of 16 children and their teacher at Dunblane Primary School in March 1996 the House passed the Firearms (Amendment) Act 1997 which had the effect of prohibiting the private possession of .22 calibre handguns. Procedures were also established to tighten the certification process for the holders of firearm certificates under the Firearms Act 1968, the principal Act governing the possession of firearms in private hands.

22. The tragic deaths of Charlene Ellis and Letisha Shakespeare in Birmingham on New Years Eve 2003, led to a renewed commitment from the UK Government to tackle the rising tide of gun crime in the UK. Changes have since been introduced at various stages of different pieces of legislation. The Anti Social Behaviour Bill (2003)¹³ contains measures making it an offence to carry a firearm or imitation firearm in a public place. It will also be an offence to supply a firearm or ammunition to anyone under the age of 17. The Government has also banned the sale, transfer, manufacture and import of weapons using the self-contained air cartridge system, and to impose a licensing system on those people who already possess them.

23. The Home Office also proposes to introduce a new five-year mandatory minimum sentence for illegal possession of a prohibited firearm in the Criminal Justice Bill¹⁴. The Export Control Act (2002) aims to improve arms exports controls. Whilst it is welcome that there will be new controls on arms brokers (middlemen who organise arms deals) loopholes remain which would enable UK brokers to operate abroad, potentially fuelling the trafficking of weapons across the world. (see chapter 3)

Fig 2.0 Recent Home Office initiatives to tackle gun crime

- £1.4m to support a new National Firearm Forensic Intelligence Database (NFFID) to help trace guns used in crime.
- £500,000 in 2003–04 for police forces to increase the number of seized firearms, which they submit for forensic examination. (March 2003)
- Inauguration of EuroJust, a cross border EU Crime fighting body. (April 2003)
- £2m available for witnesses to assist police forces videotape witness statements. This will enable the most vulnerable to give evidence without having to attend court in person.
- £70,000 towards the cost of music concerts (April 2003)
- A month long national firearms amnesty ended on April 30 2003. The Home Office estimated that 25,000 weapons were taken out of circulation.
- Two roundtable events with a broad range of stakeholders have been organised by the Home Office. A further one is planned for the autumn as well as a conference.
- Strategy published on witness intimidation 15 May 2003.
- £1.5 million from a recovered assets fund to support community involvement against gun crime. (July 2003)

24. Witnesses who gave evidence throughout the hearings made it clear that legislation needs to be further tightened both in the UK and internationally to effectively reduce the number of guns on UK streets and halt arms trafficking.

¹³ At time of printing the Anti-Social Behaviour Bill (2003) is at committee stage in the Lords
<http://www.parliament.uk/bills/bills.cfm>

¹⁴ At time of printing the Criminal Justice Bill (2003) is at committee stage in the Lords
<http://www.parliament.uk/bills/bills.cfm>

Air weapons

Age limits on air guns

25. The Anti Social Behaviour Bill (2003) contains provisions to tighten the law on airguns. Although the Bill raises the minimum limit for acquisition and possession of an air weapon from 14 to 17 it still allows those aged 14 to possess and use air guns on private land. This concession creates problems and does not go far enough to prevent the misuse of air weapons by minors, especially as nearly all airgun misuse takes place on private land. The risk has not been removed because it would be perfectly possible for some one to be hit from an air gun that was fired from private land. **We recommend that the government amend the Anti Social Behaviour Bill (2003) to universalise the minimum age for possession and use of airguns to 17 years old.**

Air cartridge weapons

26. According to Trident, converted air cartridge weapons such as the Brocock are a preferred weapon of choice for the "disorganised criminal" because their desire to gain a certain wealth and lifestyle through drug dealing is not matched by their opportunity and funds to acquire a purpose-made weapon. These weapons are converted into working firearms using simple engineering techniques. They are cheap and easily available from trade fairs, specialist retailers and over the Internet.

27. The rise in gun crime has consequently witnessed a rise in the use of these weapons and in particular the use of air guns converted to fire conventional bullets. In her evidence to the APPG DCS Sharon Kerr of the Metropolitan Police estimated that 50% of all illegal weapons used in crime were either conversions or imitations. Of the firearms seized by Operation Trident officers between January and September 2002, 72% of weapons had been converted from an air weapon, blank firer or starter pistol¹⁵. Since May 2001 converted Brococks have been used to commit 10 solved murders and attempted murders and between 50 and 60 unsolved murders and attempted murders¹⁶. The Association of Chief Police Officers Scotland (ACPOS) state in their submission that the low cost of convertible weapons made them "highly attractive to criminals compared to paying £200-£500 for an illegally held firearm"¹⁷. Although the Anti Social Behaviour Bill (2003) includes measures to prevent their importation, sale and distribution it allows for those present owners to remain in possession if they apply for a licence. The submission from ACPOS argues that this loophole will leave a large number of weapons in circulation and will "present a problem for the police". The submission from Trident adds, "the current Bill proposing to ban certain convertible air weapons is helpful but needs to go further to ban all imitation firearms and all air weapons".

We welcome the steps taken by the Government in the Anti Social Behaviour Bill (2003) to ban the sale, importation and distribution of Air Cartridge weapons. However we are aware that this will leave large numbers of convertible air weapons already owned by the public in circulation. We therefore recommend that the law be reviewed after two years of implementation to assess whether the new licensing regime has reduced the criminal use of converted air weapons and whether further controls are necessary.

Air gun penalties

28. The submission from the Airgun Training and Education Organisation (ATEO) states that airgun misuse is in part due to an "apparent reluctance on the part of the judiciary - magistrates and judges- to impose the maximum penalties on convicted offenders". David Mills of ATEO said that in some cases magistrates were unaware of the penalties available. **We recommend that the courts ensure that penalties in cases of airgun misuse are enforced.**

¹⁵ Submission from Mayor of London (page 61)

¹⁶ Home Affairs Committee, *Anti Social Behaviour (uncorrected evidence)*, 25 March 2003, HC 568 2002-03, para. 50

¹⁷ Submission from ACPOS (page 33)

Deactivated weapons

29. According to DCS Jon Coles from Trident only 2% of gun crime in London involves deactivated weapons, but DCS Sharon Kerr warned this figure could rise if other sources of illicit weapons were cut off. ACC Tofiluk of the West Midlands Police echoed this call for a comprehensive approach to all firearms laws including deactivated weapons. The increased access to foreign dealers via the Internet has broadened opportunities to acquire spare parts needed to reactivate weapons. In their evidence ACPO raise concern over the 'E-bay' Internet shopping site after proof that prohibited weapons were being brought into the UK via the website¹⁸

Fig 2.1 Dangers of deactivated weapons

The APPG heard evidence from Stephen Walker whose son was killed in a motiveless murder by a man using a re-activated Uzi submachine gun. In his submission Mr Walker told of how easily the murder weapon had been reactivated using spare parts (breechblock and barrel) that had been welded and drilled on the weapon. Mr Walker told the APPG that "deactivated should mean that, and guns should be crushed to pieces not put on display as trophies".

30. The standard for deactivating weapons was amended in 1995 to reflect the fact that many weapons were being re-activated for criminal use. However pre-1995 weapons in circulation are still being sold and imported into the country and are easily reactivated. The sale and importation of these weapons is still possible¹⁹. Both ACPO and ACPOS cite this as a legal loophole allowing potentially lethal weapons to remain in circulation. **We recommend that all deactivated weapons imported into the UK or transferred domestically must be deactivated to the post-1995 standard.**

Imitation weapons²⁰

31. ACPO say that the identification of weapons causes a "constant dilemma" for police officers attending firearms scenes and would like to see a ban on the sale, ownership and import of imitation guns. The Government's Anti Social Behaviour Bill (2003)²¹ proposes a ban on the carrying of imitation weapons in a public place, but it is clear from the evidence given to the APPG that this does not go far enough for law enforcement agencies to combat gun crime. ACPO concede that to take the law further and ban possession and include retrospective compensation to owners would affect collectors and businesses, but said that this option would "offer a comprehensive solution" to the problem of criminal use of imitation weapons. The wide range of outlets where imitations can be purchased is of concern and the growth of the Internet and its supporting telephone sales and mail order network has given more opportunity to buyers.

Fig 2.2 The police dilemma over imitation weapons

In July 2001 armed police were called to an estate in Brixton after there were reports of a man brandishing a gun. On arrival at the Loughborough Road estate the police found Derek Bennett, 29, holding a silver handgun pointed at another mans neck. After the man had threatened officers the police opened fire and killed Mr Bennett. The weapon that Mr Bennett was threatening officers with was a silver gun-shaped cigarette lighter. The incident led to the Home Officer Minister at the time, Charles Clarke, to call for a ban on the sale, importation and manufacture of imitation weapons.²²

32. The submission from the Mayor of London cites the increasing availability of replicas as a reason for their increased use in street robbery and violent confrontations. The Mayor's submission goes on to say that "the continuing manufacture, importation and sale of replica firearms costs lives and therefore represents a clear and present danger to the public and the police"²³.

¹⁸ Submission from ACPO (page 21)

¹⁹ Submission form ACPOS (Page 22)

²⁰ Section 57(4) of the Firearms Act 1968 defines an imitation firearm as "any thing which has the appearance of being a firearm . . . whether or not it is capable of discharging any shot, bullet or other missile"

²¹ At the time of printing the Anti Social Behaviour Bill (2003) was at committee stage in the Lords

²² <http://news.bbc.co.uk/1/hi/uk/2291405.stm>

²³ Submission from the Mayor of London (page 61)

Fig 2.3 Imitation weapons statistics from NCIS Threat Assessment 2002

“Since 1999, the replica firearms market has doubled in value and is now estimated to be worth almost £10 million. It is not possible to say what proportion of this rise is due to the use of replica firearms by criminals. However, replica firearms were involved in 1,201 recorded offences in England and Wales in 2001-2002, and seizures of replica firearms by the Metropolitan Police Service in 2002 increased by almost 50% on the previous year.”²⁴

33. All witnesses at the first and second hearings supported a complete ban of imitation weapons. APPG members agree that a total ban on all imitation weapons would offer a comprehensive solution to this facet of gun crime. However the extremely large number of imitation weapons in circulation would make a complete ban on ownership hard to police. As a first step, a move to ban the manufacture, sale, transfer and importation of imitations would prevent this large number of imitations increasing. **We recognise that there is a strong case for a ban on the manufacture, sale, transfer and importation of all imitation weapons, notwithstanding perceived difficulties in relation to definition and enforcement. We further believe that the ease with which imitation weapons can be obtained through a variety of methods of sale should be immediately addressed**

Crime statistics

34. In their submission ACPO urged the Home Office to review firearms statistics as the present system means that current figures are at least one year out of date. This point was also made in oral evidence as police feel that the ‘age’ of the statistics causes confusion on how much the police are actually doing about gun crime. Chief Constable Alan Green of ACPO told the APPG that Home Office figures are “woefully out of date” by the time they are published, causing a confused view of actual criminal activity and police detection rates. **We recommend that gun crime statistics should be released on a quarterly basis to give a more accurate assessment of the current levels of crime for the law enforcement agencies and the public**

Resources for community groups

35. In July 2003 the Home Office announced that it would be allocating £1.5 million of confiscated criminal money into the community to help tackle gun crime. The Disarm Trust received £300,000 of this money and will use it to help victims and those working to prevent gun crime. Bill Brown of the Disarm Trust, who at the time was expecting funding from the Government was pleased with the level of support from the Government whilst Tony Walker of Partners Against Crime told the APPG his group faced a “bureaucratic mill” in order to secure what “limited resources” are available. **We recommend that the Home Office clarify the objectives of its gun crime fund and lay out the criteria on which it bases its funding decisions in order to make it easier for community groups to access resources. We propose this fund should be permanently established and its level reviewed annually to ensure it is providing adequate support to community gun crime initiatives.**

Fig 2.4 The “Not Another Drop” (NAD) campaign in Haringey.

Initially launched in Brent, the Not Another Drop campaign against gun crime was adopted by black community leaders in Haringey. This was set up as a necessary response to the murders and the losses suffered by the community. The vision of the Haringey NAD is to “create an environment whereby anyone considering involvement with guns in Haringey knows that they would be rejected by the community and that they would run a high risk of detection by the authorities”. Part of this involved a poster campaign and specific launch of Crimestoppers focusing on leaders and members of vulnerable communities to encourage reporting on crime. This was done in an effort to break the silence caused by the fear of reprisal, and raise awareness of Crimestoppers with community leaders and these groups. The result of this was a reported tripling of calls to Crimestoppers. The Peace Alliance played a key role in developing this campaign with the Police, Council and Crimestoppers ensuring that the message of anonymity was understood.

²⁴ <http://www.ncis.co.uk/ukta/2003/threat07.asp>

Chapter 3 International dimension to gun crime

36. The ease with which gangs can operate across borders was raised by Nick Tofiluk of West Midlands police who noted that “an incident takes place in Jamaica and two hours later someone is shot in the UK”. The intrinsic link between the smuggling of weapons, drugs and people was also highlighted. It was also made apparent that whilst converted and replica guns might be the most prolific weapons in the UK, customs are seizing increasing amounts of lethal weapons being smuggled in from abroad²⁵.

37. The Balkans, Central and Eastern Europe are often quoted as the source of illicit weapons entering the UK. The NCIS UK threat assessment 2002 states “there appears to have been an increase in firearms traced to Central and Eastern European countries”²⁶. In their submission ACPO give the example of the increase in seizures of the Baikal spray gun, manufactured in Bulgaria that can be converted to fire bullets, as a new source of illicit arms²⁷. However witnesses made clear that intelligence to support these claims remains patchy, largely due to the lack of monitoring and information sharing between national and international bodies.

Gaps in the intelligence gathering on importation of illicit weapons

38. The introduction of the National Forensic Firearms Intelligence Database which will facilitate the linking of firearms offences through the automatic correlation of ballistics tests will improve intelligence on firearms.

39. Keith Bristow from NCIS told APPG that the intelligence picture was incomplete. There are significant intelligence gaps relating to the seizure of firearms that had attempted to be imported. Enforcement of the legislation controlling importation of firearms is not the priority for HMCE and where seizures were made there was a need to collect more intelligence. He said that this intelligence gathering was not in HMCE’s business plan, indicating their level of prioritisation of the issue. In her submission, DCS Sharon Kerr states that “an international intelligence database to focus on firearms would ensure closer links with law enforcement agencies all over the world to avoid firearms coming into the country”²⁸ **We recommend that there is greater inter agency cooperation between UK police and intelligence services and law enforcement agencies from other countries.**

Fig 3.0 Private dispatch companies – a gap in the net?

At present UK Customs do not have a presence at sorting offices of private importers of post such as DHL and UPS. Due to the fast service offered by these companies parcels coming are cleared by Customs at the airport and then sent to sorting offices for dispersal in the UK. NCIS have said that this loophole is a potential route for illicit weapons and parts transfers into the UK and should be addressed.

40. Andy Grayhurst from NCIS outlined how metal detectors can be used to detect firearms during delivery. There had been some reluctance to use this tactic, but he indicated that increased intelligence would identify opportunities to deploy it effectively.

We recommend that UK Customs and Excise prioritise the issue of illegal importation of illicit firearms and parts and include intelligence gathering on the subject as part of their business plan.

We recommend that there is a review of Customs clearance of parcels entering the UK via private companies.

²⁵ A total of 111 machine guns and rifles were seized in British ports by customs in the year ending March 2002. This was up from 48 the year before. Shotgun seizures rose to 219 from 44. In April 2002 a discovery of 17 hand grenade detonators, two packs of explosives, 10 handguns and three machine pistols were found in a car in a container at Felixstowe docks (The Independent 31/08/03)

²⁶ NCIS UK Threat Assessment 2002.

²⁷ Submission from ACPO (page 22)

²⁸ Submission from DCS Sharon Kerr (page 27)

Enhancing efforts to reduce trafficking at source

41. Funding and prioritisation for combating illicit arms trafficking into the UK comes third behind funding for other types of trafficking including people and drugs trafficking, even though these three issues are often intrinsically linked. National initiatives remain largely inadequate for responding to the challenge posed by trans-national organised crime, which crosses multiple borders and involves multiple jurisdictions. An international response is needed. Language barriers and differences in law enforcement practices often hinder the success of cross-border co-operation. Poor co-ordination and lack of trust between states also presents difficulties for effective implementation of joint investigations and initiatives. Moreover, in spite of positive political rhetoric, many international initiatives to combat organised crime suffer from a lack of funds. Large stocks of weapons left after the Cold War are still unaccounted for and are easily available on the black market for criminal groups and terrorist organisations in the EU and regions of conflict throughout the world. For example, over 350,000 weapons are still unaccounted for after the collapse of state authority in Albania in 1997. Although there are initiatives to reduce the amount of weapons at source more support is needed from EU states. **The Government should support initiatives to remove weapons from circulation in source countries, improve management of government stockpiles and address arms trafficking.**

42. Although Central and Eastern European countries have made significant improvements to their arms export control policies in recent years, the region remains an important source and transit route for transfers of weapons. Factors such as the breakdown of the Warsaw Pact military production structures, shrinking domestic arms markets have created strong incentives to export to regions of conflict or diversion to the black market. **The Government and its EU partners should increase their work with EU applicant countries to tighten their arms export controls before they are admitted to the EU.**

Fig 3.1 An example of good practice- Information sharing in South East Europe

The Southeast Europe Cooperative Initiative (SECI) Regional Centre for Combating Transborder Crime has been operational since January 2001. Acting as a regional focal point for its 11 member states for communication and transmission of information on cross border crime the centre has been successful in intercepting arms leaving the region for Western European countries. The centre works closely with INTERPOL, and law enforcement agencies in EU member states and the US. In its first year of operation the centre processed more than 3100 requests for information on transborder criminal activity in the region.

British arms dealers abroad

43. The APPG also looked at the role of British citizens in the wider international arms trade. There have been many cases in recent years of British citizens brokering arms from central Eastern Europe and the South Eastern Europe to countries in conflict such as Sierra Leone, Liberia, Sudan and the Democratic Republic of Congo. It would be hypocritical to seek to prevent weapons coming into the UK whilst simultaneously failing to effectively control the involvement of British citizens and companies in arms trafficking.

44. HM Customs and Excise highlighted their outreach programmes to “ensure other countries have robust export controls compatible with UK/EU and that they are not used as bases by UK companies or nationals to circumvent UK export controls”. Saferworld in their submission took this issue further by urging the Government to implement full extra territorial controls on UK arms brokers operating abroad. The Government had an election manifesto pledge “to control British arms dealers wherever they are located”, and this has not been implemented. Indeed, the Government has stated that in secondary legislation under the Export Control Act (2002) it only plans to control UK arms brokers overseas if they are trading to an embargoed destination, or brokering torture equipment or long-range missiles. Andy McLean of Saferworld told the APPG, “a British broker can get on the Eurostar to Paris, make a weapons deal and then return to the UK without the British government having any control, we must close this dangerous loophole” One of the arguments put forward by the Government for not introducing full extra territorial controls is the difficulty and cost of enforcement. We believe that if greater cooperation is established between British law

enforcement agencies and those in Eastern Europe to prevent weapons coming into the UK, this cooperation could also be used to control British brokers transferring weapons from that region to conflict zones. **The Government should honour its election manifesto commitment and implement full extra territorial controls on UK arms brokers operating abroad.**

Conclusion

45. Although gun crime comes high on public concerns and in media profile, it actually makes up a small percentage of all UK crime. However, the effects of gun crime are devastating and unless it is tackled now the issue could become a serious problem. The APPG heard a wide range of views, but found a lot of agreement between different actors as to what needs to be done to more effectively address gun crime. The Government has already moved to tackle the issue but more could and should be done. The APPG believes that legislation needs to be tightened, cooperation between law enforcement agencies increased, greater partnerships developed with community organisations and more attention placed on the international dimension of the problem. We put this report forward as a positive and constructive contribution to the public debate and look forward to the Government's response.

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Submission from Deputy Chief Constable Alan Green, Chair, ACPO Firearms Committee

ITEM 1 – An Outline of Good Practice and Successful Policy Initiatives with regard to Reducing Gun Crime.

The Tactical Firearms Unit of the Greater Manchester Police have run 4 specific operations in recent months to help reduce gun crime and apprehend those committing this type of crime. These were given the following operational names:

Operation Goodwood – this operation used armed officers on patrol in specific areas in support of local officers.

Operation Starlight – this operation used armed officers in support of local officers but with a more defined targeting strategy.

Operation Jugular - this operation used armed officers with specific designated targets. The officers were equipped with the appropriate authorities for firearms deployment.

Operation Liaison – this operation employed armed officers to escort high value cash in transit deliveries over the Christmas period. This was a very successful operation.

Other operations from around the country have also had success in targeting gangs and the recovery of firearms e.g.

Operation Stirrup – West Yorkshire

Operation Atrium – Avon and Somerset

Operation Ventara – West Midlands

Greater Manchester Police are also involved in the MMAGS (Manchester Multi-Agency Gang Strategy). This is a long- term diversion and enforcement project run by partnership working. Anyone or any agency can make referrals and the team also work with the victims of gang crimes. MMAGS are also one of the few units in the country outside the Met that has the assistance of an Independent Advisory Group. Partners include Manchester City Council, Probation Service, Housing, and the Social Services.

Greater Manchester Police Community Affairs Department are looking at an anti-gun package to go to schools as part of a lesson plan.

Greater Manchester Police have involved Firearms Officers with school presentations showing the dangers of guns.

ITEM 2 – What Difficulties Do You Face in Addressing the problem of Gun Crime?

There is the obvious problem of gun identification between real, replica or blank firer. Such is the proliferation of these items that officers face a constant dilemma when attending firearms scenes as to whether what they may be faced with is real or not. The split second they may have for visual identification of a weapon is nowhere near the amount of time they actually need to make a really informed choice.

It is in this respect that much work has and is going on to stop the importation of imitation guns etc.or specifically guns that do not have the correct specifications for this country.

There is also no law against possessing the component parts of a bullet. So someone could have the capability of making a bullet i.e. all the specific parts but not commit an offence if they are not put together. This is quite an anomaly.

Witness protection is seen as a major issue and cause for concern. A working party has been set up to investigate the possibilities of having a national witness protection scheme. No doubt funding will become an issue. But if we want to gain the trust of the potential witnesses to gangland and gun crime police forces must show that they are totally resolved to protecting that witness.

Currently there is no compulsion on hospitals to report persons coming to them with gunshot injuries to the police. It is the contention of ACPO that the serious nature of firearms crime outweighs concerns about confidentiality and that all such incidents should be reported to the police without delay. Progress is being made on this matter with the General Medical Council.

ITEM 3 – Detail what Information is Lacking That Would Assist in Combating Gun Crime in the UK

The introduction of the NFFID (National Firearms Forensic Identification Database) and the extended NFTS (National Firearms Tracing Service) will significantly enhance the intelligence in relation to the supply and use of firearms. NCIS are in the process of expanding the NFTS to meet the increasing demand placed on the service.

There are strong grounds for believing that a large proportion of weapons used in crime may actually be replicas. The Home office research project (if commissioned) would be of great assistance in evaluating the scale of this problem.

In terms of reducing the supply of real firearms two key areas appear to be the theft of weapons and leakage from Registered Firearms Dealers. Measures which could assist in addressing this include the Home Office Research Project looking at thefts which could identify common factors in such cases.

A review of Home Office firearms statistics is recommended with a view to increasing the timeliness, relevance and availability of information. Current statistics are one year out of date when released and lack consistency with those

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used by forces in their annual reports. If statistics were released on a quarterly basis to Forces they could respond to trends using

the information tactically, whilst the NCIS and Co- Ordinating Group could use them strategically.

It is believed that the Home Office should require Forces to provide statistical information on recovered weapons and ammunition.

Greater Manchester Police has a dedicated Armed Crime Unit with dedicated officers looking at the enforcement of laws relating to registered Firearms Dealers, Gun Clubs and Arms Fairs. They also act as firearms enquiry officers and as liaison officers between Forces. This is seen as a positive step in maximising information and utilising intelligence. The office is also pro-active in its targeting of suspected armed criminals. This is seen as good practice.

ITEM 4 – Detail Specific Recommendations you would like to make to the Government to further Reduce Gun Crime in the UK.

The Home Office are committed to a review of the theft of firearms to identify the size of the problem and to determine what scope there is to reduce its scale. This research should be made a priority to support efforts to reduce the overall supply of weapons to criminals.

An option for tackling the growth of replica gun ownership would appear to involve an outright ban on the import and sale of replica firearms or to quickly implement the new offence of possession in a public place aimed at tackling their criminal use. If the law were to go further and ban them outright then there would be the issue of retrospective compensation for purchasers. This is clearly a political decision the consideration of which would be aided by the Home Office Research Project.

HM Customs and Excise Review of Customs control of Registered Firearms Dealers (June 2002) recommended that "their audit work should extend to conducting in depth checks on suspicious transfers of section 5 firearms to other RFD's" but commented that to effectively do this their powers needed to be extended.

Another option would be to amend the 1982 Firearms Act, Section 1, from the current wording of "readily convertible" to simply read "if it has the appearance of a firearm" (and) is so constructed or adapted as to be convertible into a firearm. This would remove some of the current ambiguity in enforcing the legislation and leave its practical application to the courts on the basis of the facts of the case. It would also be of relevance to deactivated weapons.

Consideration should be given to providing the Home Secretary with the power to declare any firearm (including blank firers) a prohibited weapon if it is shown to be a potential danger to public safety.

The standard in respect of deactivated firearms was amended in 1995 to reflect the fact that weapons were being re-activated by criminals. The problem would appear to lie with the pre 1995 weapons still in circulation. The sale and importation of these weapons is still possible. In order to address this one option would be to stipulate that any deactivated weapons imported into the UK or possibly even transferred domestically must be deactivated to the post 1995 standard. Should the 1982 Firearms Act be amended this would serve to reinforce the 1995 deactivation standard.

Options for tackling the problem of replica firearms and their use in criminal activities appear to call for an outright ban on the import and sale of replicas. A ban would impact on legitimate collectors and businesses but would offer a comprehensive solution. This is a political decision.

One possibility that has been put forward is to create a new law in relation to the unlawful possession of a firearm. The law would make it a more serious offence to possess a firearm that had a previous history of being used in crime even if the present user could not be connected to those crimes. This would put more pressure on criminals and their use of unlawful firearms.

In a similar vain the UK does not have a specific definition of a 'gang' or gang member similar to that which exists in the USA. If one were to exist that proscribed membership of a particular gang then this may assist in the reduction of gang feuds and ultimately in firearm use.

ITEM 5 - Outline Any Further Steps the Government could take Internationally to help Address Gun Crime In The UK

The links between organised crime and terrorism present an ever growing danger to international security. The change to a free market economy to many Eastern European countries have brought about much social and political upheaval. An offshoot of this may be that the proliferation of small arms in those countries leads to an increase in the illegal transfer of those arms to this country. A notable example of this is the Baikal chemical spray gun that is manufactured in Bulgaria and is now being recovered from criminals over the UK. The gun has been altered to fire bullets and is generally fitted with a sound moderator. If this is the start of a 'new' source of illegal small arms the Government must work with other EU countries to find a sensible solution to the safe deactivation/destruction of all stockpiled weapons in Central and Eastern Europe.

Sales of blank firers over the internet is a major cause for concern at this time. Discussions are taking place at present about the best way forward. It has been suggested that "Annex 1 of Council Directive 91/477/EEC of 18th June 1991 (the Weapons Directive) list the types of firearm that are subject to control. It also provides for weapons that are not listed in the Annex but are subject to national firearms legislation to be included and applied on a national basis. Article 15(4) of the directive provides that member states shall notify the Commission of their national legislation, including changes relating to the acquisition and possession of weapons, where the national law is more

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stringent that the minimum standard they are required to adopt. The Commission shall pass on such information to other Member States. A step in the right direction would be if the Home Office notified the Commission of those blank firing guns that have failed the UK FSS Model Firearm Exemption (MFE). It would then be illegal for any supplier throughout the EU to supply a UK resident or company any of the handguns that have failed the FSS MFE.

Another source of concern at present is the advent of the 'e-bay' shopping site on the internet whereby one can acquire just about anything. These are private sales between people and at present un-policed to a large extent. There have been recoveries of prohibited weapons being sent into the country from abroad which have been bought over the 'e-bay' site. Further work needs to be done in this area.

Yours sincerely

Deputy Chief Constable
Alan Green

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Submission by Detective Chief Superintendent John Coles Head of SCD8 – Trident Operational Command Unit

D.C.S Coles has 26 years service with the MPS and until 3 months ago was the Operational head of SCD7 - Serious and Organised Crime Command, that includes the Flying Squad, Projects Team and other units that deal specifically with organised gun crime linked to armed commercial robbery, contracts to kill, drug related gun crime and non-fatal, non black on black shootings across the Metropolis.

D.C.S Coles now runs SCD8 Trident – a Command established specifically to investigate and target black on black shootings, murders and gun related criminal activity, much of which is linked to the drugs trade.

Introduction

I would suggest that before you can identify the best practice and policies, or answer any of the other questions to tackle gun crime, there must be an understanding of how gun crime in society has changed, particularly in the last five years or so.

In the past, the majority of offences involving the use of made for purpose guns related to professional criminals engaged in armed robbery, contracts to kill and the occasional aggravated burglary. Very occasionally a domestic incident would lead to murder by a privately held firearm. It could be argued that these types of offences were committed by 'organised' criminals, except where 'crimes of passion' or one off incidents were committed by ordinary members of the public.

Today, these type of criminals and related offences continue to exist but they have been joined by what could be termed 'disorganised criminals,' who use firearms to settle disputes related to drug dealing activity, turf or minor gang wars or in response to disputes linked to 'disrespect'. Many of these, are sadly, linked to the Black communities of the United Kingdom.

However, at the same time some new 'organised' crime threats involving guns have begun to emerge, particularly linked to kidnaps and drug related contracts to kill. These involve suspects from a variety of ethnic groups some born in the United Kingdom, but a growing number who are either illegal immigrants or asylum seekers from the former Yugoslavia or Eastern Block. With them, has come a propensity to commit crimes of extreme violence and with that, the use of the gun to commit the crime. Anecdotally, many of the weapons have also been imported, although hard evidence to support this fact is difficult to establish. Certainly, in relation to made for purpose weapons used in a recent outbreaks of gun crime in the Turkish community of North London, the suggestion is that the weapons were smuggled in with the heroin that that community controls.

However, an area where there has been the greatest increase of gun crime links directly to the increased use of converted air or imitation weapons. Focussed almost exclusively within the Black community, the use of these weapons is directly linked to the 'disorganised' criminals who are emerging in many of our cities. The disorganised black criminals fall into two separate camps – 40% who are Jamaican or Jamaica based drug dealers, linked either directly or indirectly to the drug cartels operating out of South America and through, conveniently (both geographically and socially) Jamaica, to the United Kingdom or home grown black youths, who are affiliated to 'gangs' that are very much based in local communities across the UK.

The former group have more ready access to firearms and although disorganised in general life style, have an element or organisation behind their drug dealing activity. Indeed these individuals are often entrepreneurs who will seek new areas to distribute crack cocaine. This has recently been evidenced in Aberdeen and in other parts of the UK outside of the major conurbations.

The latter group who make up about 60% of Trident's work are drawn to the drugs trade through poor education, lack of job opportunity and a desire to meet certain aspirations, including lifestyle and wealth. They can only achieve this through dealing drugs, which then leads to the need to protect their trade by the possession of guns. Once in possession of a firearm, it is not long before the inclination to use a gun to defend one territory or in a 'disrespect' dispute becomes the norm. Retribution and reprisal attacks follow.

The younger blacks who make up the majority of this group do not have the funds or opportunity to access made for purpose guns and so, the use of converted air, imitation or blank firer weapons has grown readily.

Response to questions: -

- The Flying Squad model has been shown to be successful over many many years in tackling professional armed robbers and can be adapted to tackle other forms of gun crime.
- High visibility armed police patrols/road blocks effectively thwart the carrying of firearms in gun crime hotspots, but is expensive and is difficult to maintain at the level sufficient to permanently resolve the issue. Any letting off of the pressure, almost invariable leads to fresh outbreaks of shootings.
- Insufficient pro-active resources thwart the effectiveness of Trident to successfully target all known firearms offenders and act on all the intelligence available.
- Gun crime in many communities can only be addressed by tackling the underlying causes – poor education, poor job opportunity and lack of opportunity for a desired life style.

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- The United Kingdom does not have compatible intelligence databases at Level 2 (with the National Intelligence Model), so that all UK forces can 'talk' to each other.
- There is reluctance in some forces and society generally, to accept that there is a gun crime problem or culture.
- The current Bill proposing to ban certain convertible air weapons is helpful but needs to go further to ban all imitation firearms and all air weapons (It is accepted that designing legislation to cover this is a major challenge).
- There has to be a greater international response to the smuggling or supply of firearms across national borders. European law needs to mirror UK current developments and seek to ban all imitation and convertible weapons.

**John Coles
Det. Ch. Supt.
SCD8 – Trident MPS.**

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Submission from Detective Chief Superintendent Sharon Kerr – Metropolitan Police

Introduction

DCS Sharon Kerr has 26 years service within the Police Service. She served initially in the City of London and then transferred to the Metropolitan Police on promotion to Superintendent. Her career has been mainly CID orientated with postings to the Anti-Terrorist Unit and Regional Crime Squad. She has operational experience at Lambeth and was the OCU Commander for Greenwich. She is currently the Head of SCD7, which encompasses the Kidnap Unit, the Projects Team, the Shootings Investigation Team (for non trident shootings), the Central Task Force, Hostage and Negotiation and the Flying Squad.

SCD7's responsibility is for Serious and Organised Crime of which the main focus has become ever increasingly gun crime.

Outline of Good Practices

- The Flying Squad model of keeping both proactive and reactive investigations in one unit ensures that pro-activity is directed at those involved in gun crime. The Commercial robbery figures currently show a downward trend (-42%) endorsing this approach.
- SCD7 has developed an intelligence response to 'real time' life threatening crimes in action. This approach has directly led to the arrest and disruption of suspects prior to there being any substantive offence involving the use of firearms. A comprehensive intelligence exchange with other relevant agencies has resulted in the recovery of firearms and the saving of life within the high-risk area of contracts to kill.
- A forensic response to all firearms offences is now in place with the establishment of the Firearms Evidential Recovery Unit, which should ensure all investigative opportunities are captured.
- Crime Prevention responsibilities are also within the Flying Squad management and are fed by the holistic "cradle to grace" approach. Feedback from the business community is hugely supportive and positive and has led to numerous joint initiatives.

Outline Difficulties faced addressing the problem of gun crime in your area

- Strategically there are some advantages when considering the concept of 'Gun Crime'. However, a major issue is that "Gun Crime" is difficult to define - it is simpler to view the gun as an enabler. A gun allows and assists a person to commit an offence, for example armed robbery and kidnap. A strategic emphasis on Gun Crime instead of concentrating on Criminals with Guns could identify the problem inaccurately and, by default, set performance and measurement standards, which are unachievable.
- Pre-planned armed operations that cross Force boundaries can inhibit lines of effective and fast communications between MPS commanders and equivalent constabulary counterparts. Varying strategic and tactical responses can lead to a delay or reluctance to authorise proactive armed intervention. With increasing reliance on technical assistance this position compromises duty of care issues.
- Most gun crime is "bad on bad" and traditional policing methods are employed with limited success. When Gun crime is within specific, identifiable communities it is often difficult to overcome due to a wide range of social and environmental issues. Moreover, organised networks within distinct communities has revealed that ethnically based gangs often merge to undertake certain criminal activity. Offences often precede or result from other firearm or violent incidents, although not all of these are reported. This may offer some kind of threat assessment for boroughs if one incident occurs.

Detail any specific recommendations you would like to make to the Government to further reduce Gun Crime in the UK

- That the RMP and Navy/RAF equivalent have a gun amnesty for returning Service personnel. There is little doubt that some material will have been brought back to the UK and could end up on the streets of the UK.
- Approach manufacturers and emphasise the need for security and audit trails for their products including ammunition. Set up a working party looking at new ways of identifying and tracking firearms and ammunition. This top down approach would result in key 'pinch points' being identified and then action being taken against them to reduce the amount of firearms, or types of firearms being available in the UK. Furthermore the additional support of forensic linkages will assist in identifying armourers.
- De activated military weapons being available for sale to criminals, with no power to even seize the weapons. These weapons are still used or reactivated and used in crime.

Outlining any further steps the Government should take Internationally to help address Gun Crime in the UK

- An International Intelligence database to focus on firearms, would ensure closer links with law enforcement agencies all over the world to avoid firearms coming into the country.

There should be an International Forensic facility to link firearms incidents particularly with travelling criminals in different countries.

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Submission from Jan Berry, Chair, Police Federation for England and Wales

The Police Federation of England & Wales is the staff association, established by statute, with responsibility for the welfare of officers and the provision of an efficient police service. Our members now total more than 130,000 and face the effects of gun crime on a day-to-day basis.

The structure of the comparative study being undertaken by the APPG on UK Gun Crime clearly demonstrates an understanding that the problem is multifaceted and will require a multi-disciplined response at local, regional, national and international level.

We welcome the opportunity to inform the study and restrict our written evidence to those areas where our members are particularly qualified to comment.

UK Gun Crime

Unlawful trafficking of firearms, people or drugs into the United Kingdom from around the world is a lucrative business. In the materialistic world in which we live, huge profits are to be gained.

The increase in gun related crime in recent years, whether perceived or actual, is well documented. Of particular concern is the increase in the unlawful importation of weapons from abroad, the availability of replica weapons which are becoming increasingly easy to convert and the increase in the use of and threat from air weapons. Government statistics document these increases and the experience of police officers support these findings.

When considering how to reverse this worrying trend, we need first to understand the cause of the increase. The experience of police officers indicates it is linked to one or more of a number of factors, including:

- Drugs culture, predominantly the “a crack economy” and link with gangs, turf war etc. A spiral of violence can easily result from acts of retribution carried out on any gang members – regardless of whether or not they were involved in the initial incident.
- Disaffected youth – with the gun seen as a status symbol, a symbol of power or a fashion accessory. Alienated youths can all too easily fall from mainstream society into a cycle of failure.
- Glamorised in films, music etc. Seen as make-believe, a toy, inability to understand or appreciate the impact of the gun.

The unlawful use of firearms covers a raft of different activities, from youngsters probably thrilled by the “game” experimenting with BB Guns or high-powered air weapons, to rich drug barons protecting their profits at all cost.

There is a misplaced belief that young people caught up in gangs are lawless. They may not conform to the rules laid down by Parliament, they have a different set of values. There are strict gang rules and heavy penalties for breaking any of them. Rather than being unregulated many are well organised with clear rules. The challenge for a democratic, civilised society is to identify those at risk of joining the gang culture and divert them into more acceptable behaviour. This requires resources, commitment, investment and effective communication. Intermediaries have been used effectively to divert gang members.

Whilst the greatest risk appears to come from drug related gun crime in inner city areas, colleagues also report an increased use of air weapons – licit weapons we believe may have the potential to act as stepping-stones to the use of more powerful weaponry. Furthermore, the risk from gun crime is ever present, not just in the inner cities but throughout the UK.

Good Practice

High visibility armed patrols, providing reassurance and the ability to respond quickly to incidents have produced excellent results in many of our inner cities.

Special police operations aimed at combating gun crime (specifically inner city drug related gun crime) have been developed around the country, building upon the success of Operation Trident in the Metropolitan Police. (Operation Ventara - West Midlands, Operation Goodwood - West Yorkshire, Operation Stealth - Nottingham).

Tangible successes (arrests, seizure of Class ‘A’ drugs and weapons) have been achieved by police co-operating and co-ordinating with other agencies and importantly with all sections of the community, including many hard to reach groups. Trust between police and communities is beginning to be re-built in many areas. We should not underestimate the level of commitment, resources, cooperation etc. needed for this to be successful. It requires sustainable commitment.

A community can be one block of flats, a street, a few houses. Where communities work together and trust is built with the formal agencies real progress can be achieved. Eg. Mothers Against Guns, Disarm trust, Trident Independent Advisory Group, Manchester Multi-Agency Gang Strategy

Legislation: We welcome government proposals (Anti-Social Behaviour Bill) to further control air weapons and replica weapons in public places. The associated power of arrest is also welcomed.

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However, strong enforcement alone will not be successful. It needs to be linked with education (raising of awareness) and effective sanctioning. As indicated above a number of multi-agency and community initiated projects, mainly in inner cities, are beginning to provide this. Good practice needs to be disseminated quickly to all levels.

Obstacles

Attitude to Guns

Whether as a fashion accessory or as a symbol of power. This needs the commitment of all parties responsible for shaping society. It is possible to turn around this type of attitude as is evident from drink & drive. However this requires total commitment and consistent complementary policies from all agencies and partners.

Performance Measurement/Targets

The need to commit sufficient resources to combating gun crime is obvious. The requirement to rebuild community links should not be underestimated in terms of officer numbers. Concentrating on persistent offenders and volume crime can distort the figures and act as a disincentive to providing officers for those all important community links which are less quantifiable.

Performance monitoring is locally based, either at force or Basic Command Unit (BCU) level. Gun crime knows no such borders. Flexibility therefore needs to be introduced and maintained.

Availability of Authorised Firearms Officers (AFO's)

The protection and safety of the public is paramount and our Number "1" priority. Police and the public alike need to be confident that appropriate armed support is available where and when necessary. A majority (85%) of the general public support the view that more police need to be armed in one form or another²⁹, as does a significant majority of our members.

Despite this, nearly four in ten police officers are dissatisfied with the availability of armed support.³⁰ Moreover, in the eight years since the last Police Federation of England and Wales officer safety/arming survey there has been no improvement in police officers' levels of satisfaction with the availability of armed support³¹, despite the rise in gun crime.

There has been a reduction of over 800 AFOs in the past 5 years, from 6,585 in 1997-98 to 5,776 in 2001-02³². Between 2000-01 and 2001-02 alone there was a reported 27% increase in the number of offences involving firearms in the UK, but 288 less AFOs (see Appendix A and B).

Although the comparison between the number of AFOs and gun crime is relatively crude – as additional factors such as geographical area, social deprivation and level of crime should be taken into account – it is nevertheless a useful means to identify trends and review AFO numbers and deployment.

London experiences the most gun crimes in the UK. However whilst violent and gun related crime has risen, the number of AFOs at the Metropolitan Police's disposal has decreased – for instance by 7% in 2001-02. This pattern is repeated in many other areas (see appendix A and B). These trends need to be reversed to provide the public and police with the level of protection and resilience they require.

Despite the increase in gun crime, police officers continue to believe the service should not be routinely armed - nearly eight out of ten officers being against routine arming in the most recent survey³³. This figure has remained relatively constant since the Police Federation of England and Wales survey in 1995.

Protective Equipment and Safety Training

The majority of forces now issue protective vests to officers. However, eleven have been slow to do so³⁴. The problem with protective vests in the UK is the need to assess what constitutes the greatest risk. Knives are more prevalent than guns and vests that offer protection against both are uncomfortable to wear for any period of time. The specification is improving all the time with a consequent reduction in the compromise between safety and wearability. The search for the "magic T shirt" goes on.

Not surprisingly, over a quarter of police officers are dissatisfied with the current levels of personal protective equipment available to them³⁵. A similar proportion is dissatisfied with the current levels of officer safety training available³⁶.

²⁹ Source: ICM poll 2003 conducted on behalf of the Police Federation of England and Wales

³⁰ ERS market research poll 2003 – 38.5% of police officers surveyed dissatisfied with the availability of armed response.

³¹ ERS market research poll 1995 – 38.4% of police officers surveyed dissatisfied with the availability to armed response.

³² 6,411 AFOs in 1998-99, 6262 in 1999-2000 and 6064 in 2000-2001.

³³ ERS market research poll 2003 – 78% of officers surveyed opposed routine arming.

³⁴ Bedfordshire, Essex, Hampshire, Humberside, Kent, South Wales, Suffolk, Surrey, Sussex, Warwickshire and West Mercia.

³⁵ ERS market research poll 2003 – 27.6% of police officers surveyed dissatisfied with the current level of personal equipment available.

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Stop and Search

There is a need to raise the debate over the use of stop and search as a legitimate policing tactic. Police Officers must be accountable for their performance/action and carry out their duties in a non-discriminatory fashion. The issue of proportionality or disproportionality needs to be considered fully. Sensationalised headlines do nothing to encourage officers to use this power in a constructive and lawful manner, if anything they discourage its use. The only winners from this are the criminals. The statistics against which proportionality or otherwise will be judged need to be accurate and reflective of the transient street population where the search has taken place.

Supervision of Firearms Incidents

The Police Federation of England and Wales welcomes the increased numbers of officers being recruited into the service. In a very short period of time (18months), the service has reversed the reduction to 124,000 officers with an increase to over 130,000 officers today. However the number of supervisors or first line managers has not increased – in fact it has gone down. This will effect the skill and ability of officers to command incidents involving guns.

Training

AFOs complain of insufficient time (resilience) to practice. This is vital. Fortunately the number of times an officer is called upon to shoot is relatively low. With approximately 11,000 armed deployments per year, on average only 6 results in a shot being fired by a police officer. The comparatively low level of death rates from firearms incidents in the UK is a testament to the measured response of police officers.

International Cooperation

Whilst international cooperation has improved significantly following the secondment of officers abroad, care must be taken to ensure that these officers are not tied up in bureaucracy. Increased dialogue with authorities overseas is essential in order to build effective relationships and to ensure that there are complementary benefits to both countries. International cooperation is therefore successful when nations share a common understanding of problems, coupled with an equal commitment to address them.

The building of relationships with the Jamaican authorities in order to prevent the importation of drugs into the UK is an example of how the government and police can work effectively with their partners abroad.

Intelligence Streams

Sharing information and intelligence locally and widely is vital; inter-agency, across borders etc.

We therefore need to ensure that incentives exist for forces and BCU's to share information and intelligence. This need also apply at an international level. Intelligence will only be shared if we also share common priorities with our international partners. Current performance targets and measurements may discourage such sharing. These problems can be compounded by the language barriers that still exist with some countries - most notably in Eastern Europe, the source of many illicit weapons used in the UK.

Recommendations

Public attitude to guns needs to be addressed. This is not a short-term objective or one with a quick fix. A strategic approach to education, coupled with continued strong enforcement and sanctions is required.

We would welcome an informed public debate in relation to analysing the effects of censoring material that glamorises the use of guns. Moreover, we would wholeheartedly support research that would assist the identification of individuals susceptible to gun culture before they are absorbed and become a part of the problem.

Research into adopting allocation formula for number of Police Authorised Firearm Officers.

International Dimension

Border controls – illegal weapons, improve intelligence and border checks.
Jamaican connection. "Live Fast, Die Young"

Conclusion

Much is said about joined up government. The solution of gun crime in the UK can only be achieved when all agencies - local, regional and national, in conjunction with our partners abroad – share with a common aim to work in concert. This is an absolute priority and is the first step to reverse the present trend in gun crime.

³⁶ ERS market research poll 2003 – 24.1% of police officers surveyed dissatisfied with the current levels of officer safety training available.

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Appendix A: Authorised Firearms Officers per Gun Crime Incident (2001-02)

Police force	Gun crime 2001-02	AFOs 2001-02	AFOs per gun crime 2001-02
City of London	5	73	14.60
North Wales	6	83	13.83
Cumbria	9	92	10.22
Suffolk	15	90	6.00
Durham	19	86	4.53
Lincolnshire	22	91	4.14
Norfolk	26	104	4.00
Cleveland	24	85	3.54
Gwent	18	57	3.17
Dyfed Powys	26	77	2.96
Wiltshire	26	71	2.73
South Wales	56	138	2.46
North Yorkshire	28	66	2.36
West Mercia	54	125	2.31
Devon & Cornwall	50	108	2.16
Kent	60	113	1.88
Essex	98	180	1.84
Dorset	34	57	1.68
Cheshire	50	81	1.62
Gloucestershire	45	71	1.58
Surrey	40	62	1.55
Humberside	63	96	1.52
Hampshire	58	87	1.50
Northumbria	86	125	1.45
Derbyshire	58	80	1.38
Lancashire	103	138	1.34
Cambridgeshire	49	56	1.14
Leicestershire	71	69	0.97
Warwickshire	53	50	0.94
Northamptonshire	55	51	0.93
Avon & Somerset	131	116	0.89
Sussex	155	120	0.77
Hertfordshire	69	46	0.67
Nottinghamshire	204	136	0.67
Staffordshire	116	71	0.61
Bedfordshire	82	48	0.59
Thames Valley	267	156	0.58
South Yorkshire	170	92	0.54
Metropolitan	4,192	1,805	0.43
West Yorkshire	332	116	0.35
Merseyside	299	78	0.26
Greater Manchester	1,361	219	0.16
West Midlands	1,289	111	0.09
Total	9,974	5,776	0.58

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Appendix B: Change in Authorised Firearms Officers (2000-01 to 2001-02)

Force	2000-01	2001-02	Percentage Change
Northamptonshire	77	51	-33.77%
Merseyside	103	78	-24.27%
Cambridgeshire	73	56	-23.29%
Leicestershire	85	69	-18.82%
Kent	136	113	-16.91%
Thames Valley	185	156	-15.68%
Dorset	67	57	-14.93%
Durham	101	86	-14.85%
Avon & Somerset	135	116	-14.07%
Surrey	72	62	-13.89%
Gwent	66	57	-13.64%
Hampshire	100	87	-13.00%
Norfolk	114	104	-8.77%
Greater Manchester	240	219	-8.75%
Essex	195	180	-7.69%
Metropolitan	1940	1805	-6.96%
South Yorkshire	98	92	-6.12%
Humberside	102	96	-5.88%
West Mercia	130	125	-3.85%
South Wales	143	138	-3.50%
Cumbria	94	92	-2.13%
Gloucestershire	72	71	-1.39%
Cleveland	75	85	-1.35%
Derbyshire	81	80	-1.23%
West Yorkshire	117	116	-0.85%
Nottinghamshire	137	136	-0.73%
North Yorkshire	66	66	0.00%
Suffolk	90	90	0.00%
Wiltshire	71	71	0.00%
Sussex	118	120	1.69%
Hertfordshire	44	46	4.55%
Lancashire	132	138	4.55%
Staffordshire	67	71	5.97%
Bedfordshire	45	48	6.67%
Devon & Cornwall	100	108	8.00%
Cheshire	74	81	9.46%
Warwickshire	45	50	11.00%
City of London	74	73	13.33%
Lincolnshire	80	91	13.75%
Northumbria	109	125	14.68%
North Wales	67	83	23.88%
Dyfed Powys	61	77	26.23%
West Midlands	83	111	33.73%
Total	6064	5776	-4.75%

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Submission from Assistant Chief Constable Graeme Pearson- ACPOS

PARLIAMENTARY HEARING ON UK GUN CRIME 25 JUNE 2003

ACPOS PERSPECTIVE

➤ Overview

The Scottish Executive statistical bulletin '*Recorded Crimes and Offences Involving Firearms, Scotland*' provides a summary of firearms-related crime across the 8 force areas for the previous year. The most recent was published in September 2002 and gives data for the calendar year 2001. It reveals a continuing downward trend in recorded crimes and offences involving firearms between the high-point of just under 2000 crimes in 1992 to the 2001 figure of 1030, representing a fall of 47%.³⁷ (2002 figures are currently being compiled and will not be published until September 2003).

Throughout Scotland, intelligence indicates that there has been no movement in the prevalence of any specific type of firearms, with air guns, air pistols and non-converted replicas being the most commonly used.

The use of firearms in criminal activity constituted only a small proportion of all offences recorded by the police in 2001: **5%** of recorded homicides (5 crimes); **4%** of recorded attempted murders (29 crimes); **3%** of recorded robberies (115 crimes). Less than **0.5%** of recorded assaults (260 crimes) and vandalism offences (264 offences) involved the alleged use of a firearm.³⁸

It should be remembered that not all crimes and offences are reported to the police. The extent of under-reporting is likely to vary considerably according to the seriousness of the crime or offence; for example, armed robberies are much more likely to be reported to the police than vandalism caused by the firing of an air weapon.

The Strathclyde Police force area contains 44% of the Scottish population and accounted for **52%** of all crimes/offences in which a firearm was alleged to have been used in 2000. More specifically, **90%** of recorded robberies, **68%** of Firearms Act 1968 offences, **62%** of assaults but only **22%** of vandalism offences in which a firearm was alleged to have been used took place in Strathclyde.³⁹

Across Scotland, crimes in which firearms other than an air weapon are stolen are at a low level. In 2001 police recorded only 29 crimes and slightly fewer in 2000 with 24 crimes committed in 2000.⁴⁰

➤ Converted Blank Firing Weapons

Emerging problems include the conversion of blank firing weapons such as the Bruni PPK/BF 75/Police Special and the Kimar Derringer. These often fall into the "readily convertible" category as defined in the Firearms Act 1982. Section 1(6) of the Act details that a weapon is "readily convertible" where:

- (a) *it can be so converted without any special skill on the part of the person converting it in the construction or adaption of firearms of any description; and*
- (b) *the work involved in converting it does not require equipment or tools other than such as are in common use by persons carrying out works of construction and maintenance in their own homes.*

These weapons, being "readily convertible" become firearms and, being in the handgun category, are immediately prohibited weapons under the Firearms (Amendment) Act 1997.

Within the Metropolitan Police area of London, **70%** of firearms recovered are modified blank firearms. Intelligence suggests that the figure in Scotland, which is currently approximately **11%**, is expected to rise in the next few years. Admittedly, this is at a much lower level in comparison to many ACPO forces, however the number of converted replicas recovered by Strathclyde Police, Scotland's largest force, has increased by over **100%** from 1998 to 2001:

1998	1999	2000	2001
9	17	10	20

There has been a significant increase in the conversion of blank firing weapons in Manchester, Nottingham and London⁴¹. Although in Scotland these account for a small number of all weapons seized, it is on the increase and is to be seen as a source of firearm capability and procurement in the future.

➤ Air Weapons

The types of firearms used in Scotland are often not as sophisticated as in other areas of the UK, air weapons being the most frequently used firearm for criminal activity. However, the sophistication of converted replicas and recently seized air guns has resulted in these weapons becoming an increasing threat and there has been a definite and marked increase in air weapons recovered, linked to criminal offences. Many recoveries were as a result of heightened public awareness after a 6-year-old was shot and killed by an air gun in October 2002.

³⁷ Scottish Executive Statistical Bulletin – September 2002

³⁸ Scottish Executive Statistical Bulletin – September 2002

³⁹ Scottish Executive Statistical Bulletin – September 2002

⁴⁰ Scottish Executive statistical Bulletin – September 2002

⁴¹ ACPO Criminal Use of Firearms Group

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Criminal use of converted air weapons such as those manufactured by Brocock is gradually becoming more of a feature in Scotland. The legal availability of such weapons at costs of just over £100, which can then be easily adapted for firing .22mm bullets, is highly attractive to criminals compared to paying £200-£500 for an illegally obtained firearm.

Although the Home Office has announced it proposes to introduce legislation to ban the importation, distribution, sale or transfer of air cartridge weapons, while enabling those who wish to retain legal possession of their guns to apply for a firearms certificate, a large amount remain in circulation and present a problem for the police.

➤ Replica/Imitation Firearms

Replica firearms are believed to form a large proportion of weapons used in crime. A 10% increase in offences in Scotland between 2000 and 2001 in which a firearm was alleged to have been used was entirely due to an increase in offences involving firearms in the Other and Imitation firearm category⁴². Of these, there also appears to be a slight increase in incidents involving converted replicas where a firearm has been discharged.

➤ Organised Crime Groups

Evidence suggests that currently Scotland does not endure as great a problem as areas in England, from outside organised crime groups, for example Eastern European or Jamaican gangs infiltrating the local area. The Metropolitan Police area has an increasing problem with the rise of ethnic criminal gangs, notably Turkish and Albanian,⁴³ who have a high demand for real firearms and a propensity for violence. Within the South of England many of the Eastern European, Albanian and Turkish-led organised crime groups have a tendency to favour real firearms over converted imitations. This, they believe, increases their status.

It is widely accepted that the risk of being the victim of a shooting is very low but rises dramatically if one is involved in a gang⁴⁴. Whilst cities such as Manchester have a significant gang culture, in particular among ethnic groups, this is less prevalent within Scotland where there is a far lower ethnic mix than in many other parts of the UK. This would affect the opportunity and success of outside crime groups moving into Scotland. The 2001 census indicates that 1943904 (27%) of London's population of 7172091, were born outside the UK. In Greater Manchester, 179927 (7%) of a population of 2482328 were born outwith the UK.⁴⁵ For Scotland, taking Glasgow as an example, only 3.5% of the population are classed as non-white.

The cultural and ethnic demographics of Scotland strongly contribute to the current firearms position as relatively few external organised crime groups have spread into Scotland's major cities. Organised crime groups in Scotland are overwhelmingly white/ Caucasian.⁴⁶ Minority ethnic gangs in Scotland have a smaller sphere of influence than they would have in many cities in England.

However, such groups do appear to be moving gradually northward from London, with Birmingham and Manchester the most recently affected areas. Geographical analysis suggests there is potential for Glasgow to be the next logical strike and intelligence suggests that external criminal groups have already affected Edinburgh and Aberdeen.

Research in Manchester has found that while ethnic groups are disproportionately represented in gangs, the gangs themselves are not organised along racial lines. The key factor is social exclusion⁴⁷. This is an important factor, as according to the Scottish Executive Indices of Deprivation 2003, Scottish urban areas, notably Glasgow, are increasingly becoming disproportionate in the percentage and level of population who are socially excluded from society⁴⁸. This is an area that may lead to the increased formation of a gang culture and susceptibility to outside gang influence, if not presence, leading to a potential rise in firearm-related incidents.

Consequently, despite the lack of ethnic diversity, the large scale of deprivation highlights the potential susceptibility to the influence of outside gang culture by dispirited individuals.

Intelligence from NCIS⁴⁹ indicates that Jamaican gangs are increasingly expanding their drug operations away from the South of England, and are very likely to move into an area if they believe a niche has been made.

Much of the supply into the UK is controlled by individuals from Jamaica who are known for extreme violence. With the increase in cocaine trafficking, there exists future potential for increased involvement of Jamaican gangs in Scotland. Intelligence suggests that this is likely to result in the increased arming of drug dealers working with and for these groups. Intelligence also indicates that handguns are frequently used in support of drug shipments and for personal security by drug dealers. This is an area of note and is reflected in the increasing numbers of drug operations in Scotland with a tactical firearms element being built in during the last 3 years.

There has been a dramatic increase in seizures of cocaine in Scotland since 1999. This indicates a marked increase in demand and supply. Overall Scottish seizures have increased over the last couple of years and individual seizures have also increased over this period.

⁴² Scottish Executive Statistical Bulletin – September 2002

⁴³ ACPO Criminal Use of Firearms Group

⁴⁴ Greater Manchester Police

⁴⁵ 2001 UK Census

⁴⁶ HMCE

⁴⁷ BBC News Publications

⁴⁸ Scottish Executive Indices of Deprivation 2003

⁴⁹ NCIS Jamaican Liaison office

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This widespread availability is reflected by increasing numbers of users presenting themselves to treatment providers with cocaine misuse problems during the last couple of years. Also, all Scottish forces report increases in anecdotal information and intelligence on the increase in use of the drug.

➤ Firearm/Shotgun Licensing

Under current licensing legislation there is an inconsistency in approach when assessing applicants for firearms certificates compared with those applying for shotgun certificates, the latter appearing to require a lesser standard. Shotguns are no less lethal than section 1 firearms and, indeed, are regularly targeted in crimes of theft by housebreaking in order to obtain a weapon for use in further crime(s). There is a need for a common standard to bring consistency to the grant or renewal of firearms or shotgun certificates and to impact upon the overall availability of weapons in circulation, particularly shotguns.

An example is that an applicant for a firearms certificate must have "good reason" for possession or purchase of a firearm, whereas an applicant for a shotgun certificate must only satisfy a chief officer of police that he/she does not pose a danger to public safety or the peace. As a result, shotgun certificate holders are in a position to acquire unlimited numbers of shotguns without having to show any justification whatsoever.

These issues relate to section 27(1) of the Firearms Act 1968, as amended by the Firearms (Amendment) Act 1997, in regard to firearm certificates and to section 28(1) of the Firearms Act 1968, as amended by section 3(1) of the Firearms (Amendment) Act 1988, in respect of the grant or renewal of shotgun certificates.

Loopholes also relate to non-certificate holders, including persons who have had applications refused or certificates revoked, who may still be permitted access to firearms via a business. This stems from section 11(4) of the 1968 Act whereby:

A person conducting or carrying on a miniature rifle range (whether for a rifle club or otherwise) or shooting gallery at which no firearms are used other than air weapons or miniature rifles not exceeding .58cm (.23 inch) calibre may, without holding a certificate, have in his possession, or purchase or acquire, such miniature rifles and ammunition suitable therefore; and any person may, without holding a certificate, use any rifle and ammunition at such a range or gallery.

In effect, the above allows a person running a miniature rifle range to purchase or acquire section 1 firearms without requiring a firearms certificate and satisfying any of the requirements of the normal certification assessment by police. This loophole could well be exploited by those involved in crime in order to obtain access to firearms.

The other significant inconsistency concerns the possession of firearms by young persons. For example, there is no minimum age limit for the grant of a shotgun certificate, whereas the minimum age for a firearm certificate is 14 years.

Access to firearms by minors is of concern in light of serious events occurring in public places and particularly in schools worldwide, including the UK, USA, Canada and Australia. In a culture where resorting to violence is widely viewed as a legitimate first response as a means of conflict resolution, the exposure of young persons to firearms should be raised to a more mature age for both section 1 firearms and shotguns.

In conclusion, a standard approach to all aspects of firearms licensing is necessary UK-wide and consolidation of the several acts is desirable in order to tighten up the entire administration of legally possessed, acquired or purchased firearms and drastically reduce the overall availability of firearms in our communities.

GOOD PRACTICE

➤ Amnesties

The participation of police forces in recurring firearms amnesties or surrender programmes have all proved to be successful in terms of removing significant numbers of weapons from general circulation. As such, continued involvement in such initiatives at fairly regular intervals would likely yield further benefits in terms of reduced availability of weapons for criminal use.

The national firearms amnesty of June 1996 led to the recovery of almost 3500 firearms plus some 1000 air weapons and over 100000 rounds of ammunition across Scotland. During the recent national amnesty of April 2003, 3393 firearms and 143916 rounds of ammunition were surrendered to Scottish police forces.⁵⁰ In Strathclyde alone, firearms surrendered during the amnesty were equivalent to over two thirds of the average total numbers of firearms seized by or surrendered to the police each year for the previous three years.

During the period of the amnesty in Scotland contact was made with retailers of imitation firearms. They were reminded of the inherent dangers posed to persons who purchase such items and subsequently carry them in a public place, thus exposing themselves to confrontation with armed police. Equally, the community impact of persons being seen brandishing imitation firearms in public, causing fear and alarm, was explained. Retailers were requested to desist from selling imitations and some agreed to completely cease trading in such items on depletion of their existing stocks. One retailer in Strathclyde surrendered a combination of 51 shotguns and rifles as part of the amnesty.

⁵⁰ 'Safer Scotland'/ACPOS National Firearms Amnesty Campaign Summary p.11

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DIFFICULTIES FACED

➤ Internet Buying

An issue being flagged up by Scottish forces as an emerging difficulty is that of firearms being advertised for sale or transfer via the internet. As in other areas of criminal justice, the internet presents particular problems for the police in terms of relative anonymity to conduct sales or transfers, rights to privacy etc. There is limited intelligence on the exact scale of this problem but it is identified as an area worthy of close observation.

➤ Imitation Firearms

Substantial numbers of imitation firearms are in circulation in Scotland. As stated above, this accounts for a rise of 10% in offences in Scotland between 2000 and 2001 in which a firearm was alleged to have been used, although the number of offences remains significantly down compared to the 1992 peak.

Notwithstanding that sales of imitation firearms are entirely legal in the UK, during the national firearms amnesty Scottish forces endeavoured to persuade retailers of imitation firearms, blank firing weapons and air weapons, either to cease trading in such items or, at least, to consider the potential implications of sales of imitation firearms on crime in the wider community. Whilst some retailers were very co-operative to the extent of completely ceasing trading altogether, there remained the more unscrupulous businesses driven more by the profits to be made from selling imitations than any sense of community impact.

To impose an outright ban on imitations might result in significant compensation and would create the anomaly of an estimated 6 million air weapons remaining in circulation in the UK. The preferred option for ACPOS is to introduce an offence of possession of replica weapons in public places, in line with ACPO proposals. However, there may also be a sound case for legislation prohibiting any future manufacture, importation or sale of imitation firearms.

INFORMATION GAPS

➤ Importation

The current Scottish picture in terms of intelligence or firearm recoveries by territorial forces and HMCE in Scotland does not support assumptions of widespread illegal importation of firearms on any organised scale. The availability of firearms from domestic sources makes it largely unnecessary and unprofitable to go to the lengths of smuggling firearms on a large scale. Of those firearms recovered in Scotland that are obvious illegal imports, they generally appear to fall into the one-off 'war trophy' category, as opposed to anything smuggled in as part of a significant consignment.

Despite the above, intelligence in this area is incomplete and efforts continue to ensure a good flow of information sharing between forces and law enforcement agencies.

➤ Conversion and Re-activated Firearms

Conversion of weapons is another area where information is fragmented. Methods of conversion are becoming more sophisticated and it is much easier to legally purchase an imitation or BB gun for conversion than go to the expense and risk of obtaining a firearm from an illegal source.

Re-activated firearms have been more prevalent in ACPO forces than in Scotland, although there have been instances where weapons re-activated in England have been recovered north of the border. In Strathclyde, for example, there were 3 recoveries in 2001, 10 recoveries in 2002 and 1 recovery to date for 2003. Of the 10 recovered in 2002, 5 were from one incident where an ex-army firearm enthusiast was involved.

There is no intelligence to suggest that Registered Firearms Dealers (RFDs) in Scotland are involved in unethical practices in regard to the above and ACPOS forces maintain close scrutiny of RFDs to maintain this situation.

However, more intelligence is needed on individuals carrying out conversions or re-activations. In particular, there may be a need for greater scrutiny of retailers of imitation firearms and air weapons for indications of unethical practices, particularly those that are already known for more unprincipled activities.

INTERNATIONAL ACTION

As indicated, there does not appear to be any significant market in Scotland for illegally imported firearms. Nevertheless, action taken now may prevent such a situation developing. The lead role here lies with Her Majesty's Customs and Excise and the Government should ensure the HMCE is adequately resourced at all ports of entry.

The UK Government should continue to engage with partners in the European Union and the G8 to stifle the illegal arms trade. In particular, bodies at this level would have to address issues such as the international transfer of firearms via the internet or mail order. Outwith these organisations bi-lateral negotiations may be necessary, for example with Turkey or Jamaica, regarding those issues discussed earlier in relation to organised criminal groups. Such closer co-operation with identified source countries may assist in effecting 'upstream disruption', using the same methodology employed to tackle drug and human trafficking.

SPECIFIC RECOMMENDATIONS

The Association of Chief Police Officers in Scotland recommends that:

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- ❖ the Government considers legislating to bring retailers of air weapons, blank firing guns and imitation firearms under a registered scheme akin to Registered Firearms Dealerships, making them subject to greater scrutiny by the police and carrying suitable legal penalties;
- ❖ the Government introduces legislation to prohibit any future manufacture, importation or sale of imitation firearms and to create a new offence of being in possession of an imitation firearm in public places;
- ❖ the Government amends Section 1 of the Firearms Act 1982 in line with the ACPO proposal to replace the "readily convertible" requirement with "if it has the appearance of a firearm...(and)is so constructed or adapted as to be convertible into a firearm...";
- ❖ ACPOS supports the ACPO proposal regarding re-activated weapons to amend the Firearms Act 1982 to reinforce the 1995 de-activation standard
- ❖ the Government amends firearms licensing legislation to introduce a common standard to the grant or renewal of both firearm and shotgun certificates;
- ❖ the Government amend firearms licensing legislation to close loopholes in relation to miniature rifle ranges;
- ❖ the Government amends firearms licensing legislation to raise the minimum age limit for the grant of either a firearm or shotgun certificate to a common standard at a mature age;
- ❖ national firearms amnesties should be considered on a recurring basis with consultation between the British Government and the Scottish Executive;
- ❖ partnership working with the Crimestoppers Trust should be employed to specifically generate intelligence in relation to firearms crime;
- ❖ the Government considers bringing forward legislation to impose a stringent mandatory sentencing regime for crimes in which a firearm has been used;
- ❖ the Government engages with partners in the EU, G8 and bi-laterally to disrupt illegal international transfers of firearms;

the Government and Scottish Executive work in partnership with ACPOS and ACPO forces to develop a national firearms education strategy.

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Submission from ACC Nick Tofiluk - West Midlands Police

TACKLING THE CRIMINAL GUN CULTURE: THE NEED FOR PARTNERSHIP STRATEGIES.

The shootings that occurred in Birmingham, January 2003 brought into stark relief a facet of criminality that West Midlands Police have in the more recent years been attacking through enforcement operations developed by an intelligence unit termed "Ventara".

Ventara was initiated in August 2000 as a *tactical* intelligence capability to support efforts to arrest offenders for a number of seemingly linked murders involving Afro-Caribbean males as both perpetrators and victims. It became apparent that the murders and other serious offences were linked to the criminal activities of emergent networks of locally based criminals and criminals entering the West Midlands from other parts of the UK and the Caribbean.

The activities of these Afro-Caribbean networks remain predominantly linked to establishing and maintaining income flows from class 'A' drugs supply at national, regional and local levels. The structure of the networks is variable and whilst a number can be considered as Organised Crime Groups (consistent with NCIS definitions) or "gangs", there remains complex facilitating networks and associations that maintain the links between regional and national level criminality and neighbourhoods, themselves dependent upon local support and contexts.

Some networks do in part conform to traditional hierarchical concepts of "gangs". However personal mobility and access to technologies mean that many offenders act within wider inter-related networks of criminality, varying as to their structure, with some being more violent and opportunistic in crime activity than others. At present we would estimate more than 600 individuals can be directly related to *active* criminal networks linked to the distribution and possession of firearms, the supply of drugs (primarily Heroin, Cocaine and Crack), robbery offences or assisting in the illegal immigration of criminals.

It is important to recognise at the outset that intelligence indicates the emergence of similar networks emanating from British Asian and white backgrounds. To think of the drugs/guns nexus as being an Afro-Caribbean issue is erroneous in the West Midlands Police context and likely to inappropriately label Afro-Caribbean communities.

There is no reason to believe that the scale or range of these networks activities are decreasing and whilst many offenders and their networks are often concentrated within specific West Midlands areas, these local networks have national and international connections that add apparent allure and impetus to their growth. We are able to identify links within West Midlands cities and to Aberdeen, London, Bristol, Nottingham, Northampton and a number of other areas.

The links are international. Officers from Ventara, having worked with Immigration Services to disrupt illegal immigration and drugs (cocaine) importation from the Caribbean, and a recent operation, showed direct links between an arrested Colombian national and premises in Birmingham selling Crack directly onto the street level dealers and users.

Maintaining and protecting the network connections, supply lines and markets is being facilitated through the use of extreme violence using firearms. An additional factor has now emerged that complicates any analysis of cause and effect, the fact that firearms have in themselves become a symbol of power, lifestyle and "respect" with a sub-culture that has little in common with the traditional use of firearms as a specialised and rare business enforcer. Ventara has therefore developed from a support to shooting investigations in an attempt to disrupt the activities of offenders involved with firearms and almost always linked to the supply of Heroin and/or Crack.

Ventara's intelligence capability remains an important factor in our continuing ability to arrest criminals for firearms and drugs related offences, and during 2002/3 has been allied to a focus at Operational Command Unit levels upon the disruption of street level supply/dealing networks. I am of the opinion that the rise in firearms related offences recorded in 2001/2 was related to the emergence of illicit drugs market friction within specific areas of the West Midlands. I also consider that the comparative reduction of firearms linked crime during 2002/3 (particularly in Birmingham) was in large part the result of increased enforcement activity in these two areas.

A strategic review of our approach to firearms related violence is now highlighting:

- The increases in the criminal use of firearms are intricately linked to the supply of class 'A' drugs, which in the case of Crack cocaine is thought (in the context of the wider West Midlands area) to involve demand for amounts over 1 tonne.
- That whilst some of the networks involved with the possession on both drugs and firearms accord to the NCIS definition of Organised Crime Groups this is not true of all.
- Some OCG's/networks have lifestyles/sub-cultural values that equate the possession of firearms with status and resort to extreme violence (or threats of) as an immediate response to "risk".
- Whilst at present the manifestation of this linkage is predominantly evident within Afro-Caribbean communities and involves Afro-Caribbean youths there is growing intelligence to suggest that Asian and other networks involved in drugs supply are interacting with Afro-Caribbean groups, have access to firearms and are becoming victims or perpetrators of gun crime.
- Friction within drugs supply markets will lead to displacement and it is possible that the attendant violence will surface when these newer markets are contested.
- We have major intelligence gaps as to our understanding of both networks and drugs supply mechanisms. As such, intelligence strategies that separate these issues will not provide a robust strategic or tactical understanding.

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- The role of forensic science data relating to firearms and drugs is critical in profiling and tracking recovered guns/bullets/drugs, thus being able to link across force boundaries.
- The levels of available genuine firearms are unclear. There is intelligence to suggest that weapons are transported between areas and integrated forensic intelligence is urgently required to be able to form judgements as to the scale of availability.
- Patrol and enforcement activity in areas of highest risk brings increased likelihood of serious confrontation between police and gun carrying criminals. Strategies that identify patrol activity in certain areas is therefore likely to bring about increased operational demands for overtly armed patrol officers. West Midlands Police have found that armed interdiction operations based on intelligence relating to key transport and travel routes to be most effective in disrupting the carriage of firearms and drugs from areas. This is, however, resource intensive.

It is my belief that this emergent form of criminality has significant strategic and operational implications not only for policing, but also for the success of regeneration, social exclusion and public reassurance strategies.

Whilst Ventara and a focus upon local drugs market disruption has undoubtedly increased our enforcement capability this will not in itself provide a longer term resolution of the issue. The arrest of offenders is a critically important part of any strategy but this needs to be integrated within an inter-agency strategy which links Crime and Disorder Reduction Partnerships, Drugs Action Team and regeneration initiatives to bear upon the complexities of what could crudely be called gangs, guns and drugs.

A total reliance on enforcement will, I suspect, lead to a situation where to these youths the public agencies, and police in particular, may be increasingly perceived of as concerned with "keeping them in their place" through an enforcement power struggle. *We are walking a dangerous path of potentially increasing violent confrontation that may result in the steady increase in the deployment of firearms by the police, the reactive effect of which is uncertain.*

As such I believe that any strategy intended to counter a criminal gun culture needs an inter-agency focus that effectively aligns law enforcement with programmes that develop community cohesion and directly challenge mindsets and diverts those at risk of involvement through robust agency and community partnerships. Without this approach there exists a real possibility within some areas of the West Midlands that increasing numbers of youths will view a gun linked sub-culture as a credible lifestyle alternative to societal norms perceived of as outmoded, unachievable or irrelevant.

Intelligence indicates the primary "motivations" for a large proportion of shootings to be either revenge for previous attacks; responses to incidents of perceived "disrespect"; or the resolution of drug related disputes. Of particular concern is the emergence of a criminal gun linked sub-culture based upon "kudos" and "respect" which has as its tenets status gained through the possession and use of firearms, "gang" affiliation, expensive possessions and drug linked lifestyles. A culture within which the use of firearms is often a first and spontaneous response to disputes.

These sub-cultural values appear to emerge from within families or longer-term local friendship groups within specific geographical areas, often where social disorganisation and community/family control is problematic. Those most at risk of adopting such sub-cultural values and sustaining the "gangs" are likely to be young people already identified at risk and subject of different agency attention and interventions.

The emergence of this "sub-culture", and associated possession and use of firearms is not an Afro-Caribbean issue alone. White and Asian networks exist that possess firearms and are involved in the supply of illicit drugs both to the Afro-Caribbean networks and in competition with existing networks. The often chaotic nature of drug markets and supply chains means that the potential for inter-ethnic criminal disputes relating to issues of "disrespect" and securing access to drugs markets are increasing.

The harm that these networks inflict upon communities and cities cannot be underestimated. In the most direct sense, the communities and neighbourhoods within which they operate are exploited, threatened, victimised and stigmatised both by the prevalence of drugs, oppression and the fear of victimisation. Effective enforcement demands that this issue is tackled, for without community support effective communications as to patrol methods and witness support will not be forthcoming, and well intentioned enforcement activity will run the risk of alienating those it aims to support.

The issue of reputation is also critical. Once reputation is lost or negatively established it is extremely difficult to regain. The increasing public, political and media focus upon the issues of armed criminality has the potential to seriously undermine confidence in community and personal safety, through perceptions of "high risk" areas of disorganised communities beyond help, or within agency employees, or possibly residents that will seek to leave the areas. This will reduce confidence in civic leadership at city, town, neighbourhood or community levels and be likely to accelerate spiralling decline as investment becomes problematic, individuals leave, agencies withdraw and sub-cultures grow.

In the twenty first-century, crime networks operating simultaneously at local, national and international levels are a reality. The rewards of which, albeit often very short term, are increasingly obvious within some areas, and serve to establish in the minds of some groups or localities, the benefit and acceptability of a lifestyle that has major implications for community safety and stability and for the reputation of areas and agencies within the West Midlands.

I am firm in the belief that if we are to address the reasons for, and effects of, an emergent criminal gun culture, we must achieve a strategic alignment of enforcement against those linked to drugs supply and firearms with activities designed to address longer-term environmental and social issues within high risk neighbourhoods.

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I believe that a West Midlands strategy must co-ordinate under one strategy the work of Police, Crime and Disorder and DAT at four inter-related levels;

Possession: Enforcement targeted at those that possess firearms and/or supply local drugs markets.

Carrying: Enforcement actions against those carrying firearms and/or operating in local drugs supply markets.

Motivation: Multi-agency community based activity to challenge those who would enter or wish to leave the networks and to identify those "at risk" and provide realistic alternatives to drifting into criminality.

Victims/Community: Multi-agency community based activity to develop local community/regeneration agency/council initiatives at family and neighbourhood levels and give confidence to neighbourhoods.

There are a number of important issues to consider:

- Intelligence is critical. The need to share relevant data is paramount and blockages between agencies need to be removed.
- Engagement of HMC&E and Immigration Service at Force and national levels will be important to disrupt supply lines of weapons as well as drugs. NCIS have a key pivotal role.
- A suite of early intervention measures needs to be developed and promoted as agreed best practice throughout.
- Where areas are subject of multiple regeneration initiatives core objectives need to be established, funding streams need to be rationalised and where possible pooled.
- The need to engage school children at the earliest possible age to develop resistance to the siren message is critical but must be balanced with moves to provide real opportunity to succeed. Schools have to be engaged.
- Effective leadership at the strategic level and delivery/community levels is critical. Ownership by agencies, established partnerships and community is vital. Engagement of elected members is important.
- Building the capacity at local levels and of local people to manage projects and bureaucracies is vital. Mentoring and support is likely to be needed.
- Appropriately co-ordinated guidance to CDRP's and DAT's would serve to bring the complexity of the issues to notice and facilitate the development of local multi-agency strategies.
- Legislation relating to the prohibition of imitation firearms is complex but needs to be actively considered.

This submission is intended as a brief overview of our current considerations and the strategy that I am at present negotiating with Police and Chief Executives within the Force area.

Nick Tofiluk.
ACC

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Submission from Jayne Atkinson from the Gun Control Network

I'm Jayne Atkinson, I am a mother but due to circumstances beyond my control I am now a bereaved mother and find myself in a position where I need to campaign for a change in the present laws.

My son George was killed in a tragic shooting accident with an air rifle almost four years ago. I am a nurse and was going on duty, I dropped my two children, George and Lara at my sister Kay's house where I would pick them up after my shift at 21:00hours. That is the last time I kissed and saw my son alive. My sister and brother-in-law had brought a .22 air rifle the previous year to control vermin in their large garden. James their eleven year old had been 'shown' how to load and fire the gun at objects. E was allowed to do this regularly without adult supervision. Due to my dislike of guns I had warned George previously not to touch the gun. After a day of playing in the sunshine James went to get the gun to practice hitting tins cans. As George did not know how to load the weapon he asked James to, this he did. When George took the gun from James, holding the barrel the gun went off and hit George at point blank range in the side of the head, he died instantly.

As I was on duty at the time George was brought to the hospital under police escort, I was waiting for him in the accident and emergency department. Disbelief and shock come to mind; the hours that followed are etched in my memory. George was turned off the ventilator the following morning.

This incident has obviously changed my life and that of my family.

Firearms in the twenty-first century, including .22 air weapons are made with precision and refined to provide the user who may only have the basic knowledge on their use, with the confidence that the weapon is an efficient and accurate tool. With a reasonable amount of skill the user can hit target as a past time, sport or the sole practical use of killing vermin or animals. In the wrong hands or uneducated hand this weapon becomes lethal.

Twelve pounds per square inch is the primary yardstick for classifying a weapon into the category of a section one firearm as stated in the firearms act 1968. Once a classified the user is required and bound by law to keep the gun in a secure, locked cabinet, the ammunition kept separately secured and any component parts detached and stored separately. The owner is restricted by age and also where they can use the gun, this is governed by the Chief Police Officer in that area. In contrast an air rifle is often view as being a harmless toy, these views are obviously misguided.

With continuing improvements in these weapons, it does not seem unreasonable that laws governing use and storage of these weapons are completely inadequate and should be reviewed on a more regular basis than in the past. I am aware that these weapons, due to their easy access are involved in the increase in gun crime in the UK, they can be also be modified to increase their velocity. The gun that killed George was 11.8 calibre. I strongly feel that air rifles should now be certified and although critics state our gun restrictions are among the tightest in the world, from experience I can tell you that that they do not go far enough.

There is also a need for educating people about the potential these guns have to kill. As these guns are handled by young children, education should start in the community such as youth clubs, the scout movement and schools. Had my sister been aware of the capabilities of the gun my son would be here today.

Can you honestly say that when your children and grandchildren go to play in their friends house that they do not have access to an air rifle that may be in the back of the garage or in the utility room or placed in some other corner that they know about, would you sleep soundly tonight knowing that?

Jayne Atkinson.

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Submission from Linda Mitchell from the Gun Control Network

Community Perspective

Background

I am the mother of a child who survived an airgun attack. A young child who was left at home with a loaded high-powered air rifle, 3 shotguns, ammunition and a crossbow shot my son in the mouth. As a result of this experience, and my very limited knowledge of the subject I have researched airgun misuse for the last 21 months in the hope that I would understand how this could happen and identify areas in which communities and concerned individuals can make a contribution. The misuse of air weapons is a widespread and increasing problem in communities throughout the country. Personal experiences of victims, their families and representatives from local communities have been entrusted to me in the hope that it would highlight the real issues and assist in my efforts to gain a balanced overview of the problem. A part of my research, I spent three months on the streets of the North East listening to public opinion. I also encouraged people with experience of airguns around the country to contact me press and media. It is my hope to increase firearms awareness and I base my work on information I have gathered from many thousands of people.

It is estimated that there are around 6 million air weapons in circulation in the United Kingdom, but the actual number is not known, as there is no system of registration. Because they don't have to be registered, we have no precise knowledge of who owns them, though it is clear that most airgun crime is committed by young people. Secure storage is not a legal requirement and there is every indication that as a consequence some youngsters have very easy access to air weapons. The majority of guns misused by children were found by them in lofts, sheds or bedrooms, often already loaded. Children's use of air weapons on private property is a real cause for concern amongst residents.

Many children who have committed offences have little prior knowledge of guns. Too many remain unaware or oblivious of the dangers they and others face when they are in possession of air weapons, ball bearing (BB) guns or imitation and replica weapons. Although there are legal minimum ages for purchasing and owning airguns, the law is easily flouted. There have been at least two occasions when a national newspaper has advertised air weapons for the price of a phone call. Internet and mail order purchases can easily be made with a postal order or solo card, which children as young as twelve are able to do. BB guns can be brought at most toyshops or newsagents, sometimes by very young unaccompanied children. Even guns that fire plastic pellets have caused nasty injuries or trauma. Shop keepers who display or sell imitation guns can only be advised by police or trading standards to consider the implications of their actions. A shop in Sussex was recently persuaded to withdraw its display from its window only after pressure from residents and the local newspaper that thought such displays were not community spirited.

On many occasions, alarmed members of the public have reported seeing children with air weapons, BB guns, imitation or replica weapons and armed police have been deployed. The police are placed in very difficult situations and although highly trained they have to make split second decisions over the danger posed by the weapon. It is often impossible for even trained police officers to distinguish the easily purchased guns from real lethal weapons. The increasing need to deploy Armed Response Units to such incidents not only wastes police time but also places them, the public and those handling weapons in danger.

Surviving an airgun attack is increasingly being described as "lucky". However, being shot is a life-changing event, and the implications surrounding any gun incident are enormous for victims, families of victims and the wider community. Victims are regularly blinded and maimed some with life threatening injuries and some have sadly died. The trauma associated with being threatened by someone with a gun, loaded or not, has lasting consequences. If it is possible to recover from physical injury, psychological injury can last a lifetime. Families of victims suffer greatly as they try hard to help a loved one come to terms with and move on from an incident. Young people often face difficulties on returning to education, taunts and threats from their peers as a result of reporting an attack can be hard to endure and families are faced with decisions on removing their children from schools, social activities and other situations in an effort to reduce anxiety. Many families have considered moving home or actually move out of an area due to intimidation. Young people who have committed gun related offences have also suffered as a result of an incident; they too are faced with challenges that ensure they can also become victims. Many of the perpetrators of gun crime have no ability to make an informed decision when faced with choices as they come into contact with guns.

The majority of people expressed fears at increasing airgun incidents and around one in three of them knew someone who had experienced an attack. Most alarmingly was a reluctance to report such incidents, in spite of the injury to people or animals or the damage to property. The reasons given were a fear of reprisals and appropriate authorities. Of the people who said they had reported youths firing airguns in their area, the perpetrators were not usually caught in the act but often returned when there was no police presence. At best youths misusing airguns were considered to be an intolerable nuisance and at worst risking life or serious injury.

Planned Initiatives to reduce gun crime

INFER Trust is a charity that is working for a safer society. A 3-year project that will raise firearms/gun crime awareness in the North East region is planned and an application for funding is currently being made. The project aims to address gun related issues within schools and youth groups, encourage and empower local residents groups by promoting good relationships with statutory bodies and raised awareness. It will also assist police and community workers as they identify problems and reduce gun crime through education. Work on the project has already started and planned meetings with police and local authorities will take place within the coming weeks as the need for such a

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project has already been established and welcomed. Presentations by the charity are already underway with students who will eventually work with communities as they try to discourage the misuse of guns by raising awareness of the inherent dangers among young people. INFER Trust is confident that this awareness programme will compile and disseminate information, written and visual, this material will be constantly updated on the basis of regular comprehensive reviews to ensure that the material is delivered in an efficient and effective way. The programme will illustrate the hazards associated with carrying guns in public and provide information on firearms law and their application. It is an important aspect of the programme that communities and organisations are kept up to date with firearms and social behaviour law. The programme will use local examples and take advantage of other relevant research conducted by INFER Trust. The outcome will be the provision of a broad and balanced body of knowledge. Since children as young as 6 have been found in possession of, and have even used, air weapons and BB guns, programmes will be designed that are suitable at both primary and secondary school level. INFER Trust is confident that through greater awareness the children of this and future generations will come to understand what they can do to reduce the scourge of gun crime. This will have a positive effect initially on in the North East region.

Difficulties faced addressing the problems of gun crime

It has been very difficult to persuade statutory bodies that non-statutory organisations can and should be able to play a vital role as we aim to reduce gun crime. Gun crime is not always a priority for local authorities even when there is cause for concern locally. There is much to be achieved in areas like the North East, Sub-cultural values are present and with help from non –statutory bodies, those at risk of adopting such values would benefit from community delivered education in schools or social settings. Potential offenders feel comfortable with non-statutory organisations and have indicated they would be willing to act upon guidance. People who are capable, willing and able to make a contribution to their community need support and encouragement to make a difference. They need to see that their commitment is valued and their efforts do not constantly end in failure due to negativity from decision makers. Many people who have personal knowledge of the impact of gun crime are willing to help by speaking to groups of offenders and potential offenders but find it difficult to get information on how to do this and give up due to lack of support. The financial cost to someone who has experienced gun crime can be a great cause for concern, victims and parents of their victims may need time away from work to recover or support a relative in their recovery, volunteering to help raise awareness can further stretch finances, writing letters making phone calls and visiting organisations may be out of their financial reach and applying for grants to fund such work can be difficult and time consuming. Communities need clear, accessible information on where to find help.

Recommendations to further reduce gun crime

Minimum age for ownership, use and possession of all guns

Ban the sale, manufacture and import of imitation guns and their possession in a public place

Certification of all deactivated weapons

Inclusion of airguns in certification system

One certification system for all legal weapons i.e.; shotguns, rifles and air guns

Practical or combat shooting or any other shooting practice that involves the simulation of real life situations and or the use of human shaped targets to be banned

14 to 17 year old should not be entitled to use airguns unsupervised on private property/land.

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Submission from Stephen Walker of the Gun Control Network

I am 59 years of age and employed as a Legal Assistant by Bedfordshire County Council. Prior to taking up this employment, I was a serving police officer with Bedfordshire Police, retiring as a Detective Sergeant in 1992, with over 30 years service. I am married and have had five children, whose ages range between 16 – 30 years.

During my police career I was always in operational positions and spent 20 of those years in the C.I.D. I have, at various times, been attached to the Force Drug Squad, No 5 Regional Crime Squad, the Metropolitan Police Robbery Squad and, for a short time, the Anti Terrorism Unit at New Scotland Yard. I have served at all the main police stations in Bedfordshire, including Bedford and Luton.

I never sought, nor was I ever asked, to receive firearms training but I have been on a number of operations where firearms were issued to designated officers. During one particular, large-scale operation, I commanded an armed rapid response vehicle, with a driver and two armed officers.

When I first joined the police force the use of firearms was very restricted and the number of incidents where firearms were used were few and far between. In general, criminals outside London did not usually feel the need to use firearms, or indeed other weapons. This began to change in the 1970's and 1980's and, with criminals becoming increasingly mobile and travelling farther afield, the number of offences where criminals were known or believed to be carrying guns, steadily increased. By the time I retired from the police, in 1992, it was a fact of life that there was a certain section of the criminal fraternity, who readily resorted to the use of guns to further their aims. However, the majority of these lived in and operated from large urban areas and the local criminals did not become involved. One of the major factors behind the increased use of guns was the burgeoning drug trade and the need for drug dealers to protect their 'turf'. Whereas, in previous decades the gun had been the tool of trade for armed robbers, it was now being carried as a symbol of street credibility and as a means of self-protection.

When I retired I was grateful that I had never been personally present in a situation where shots were fired, either by the police or by the criminals involved. This was the case with most of my colleagues, serving at the same time as myself. I was aware of a few incidents within Bedfordshire where firearms were used but there were not many. There were more deaths from suicide, using a gun, than crimes committed against another person.

In the early hours of 4 August 2001 my 26 years old son, Andrew Walker, and his half brother, Alexander Woodcraft, 17 years old, were shot through the head and killed by a man using a reactivated Uzi sub machine pistol. They were in my son's flat in Lincoln and their killer, Jeremy Earls, was a former tenant of the flat. Unbeknown to my son, he had retained a key, which he used to let himself in. Andrew was shot once, through the temple, as he lay in his bath listening to music and Alexander was shot twice in the head as he lay asleep in the lounge. Jeremy Earls subsequently drove to a remote spot and killed himself with the same gun. No motive has ever been established for the killings, other than my son was aware that the former tenant, who had sought psychiatric treatment in the past, regretted moving out and was trying to persuade my son to move out so that he could return. It is known that he left his new home the evening before, telling his neighbour that he was going to meet his destiny and would not be coming back. Before leaving, he showed his neighbour the Uzi, along with a crossbow and arrows and a Samurai sword.

At the inquest into the deaths of all three men, I was appalled to hear the forensic scientist, Malcolm Fletcher, who specialises in firearms, and their criminal use, describe to the Coroner, how easily this particular gun had been reactivated, using genuine spare parts. The parts (breechblock and barrel) that had been replaced on this gun were found at Earls' home in Cambridge. They had been welded, drilled and cut and it was clear from their examination that this gun had at one time been deactivated. Mr Fletcher described this type of gun as being a particular favourite of those involved in drugs gang related crime in South London. It is not known when the gun was deactivated but it may well have been prior to 1995, when the regulations were tightened. However, it was clear that the deactivation process was insufficient to prevent the gun being reactivated and made into a 'prohibited weapon' again.

It is my submission that guns designated to be deactivated should be either smelted or crushed so that there is no possibility of them ever being reactivated. I accept that there is a strong lobby against any ban being imposed on the ownership of deactivated weapons. There are a number of people with vested interests who are able to exert a lot of pressure on the legislators but, if looked at dispassionately, there is no legitimate use for these weapons, other than in museums, specialising in weaponry. If collectors wish to possess them, and a complete ban is not felt to be a viable proposition, then deactivated weapons should be licensed in the same way as firearms, with the same stringent methods of security. Penalties for illegal possession or use should be stiff enough to provide a strong deterrent. I am aware that there is a certain element among the criminal fraternity, who will still try and obtain them but if it is made hard enough the demand will drop. This in turn will act as a deterrent for the suppliers and deactivators, who will not find it worthwhile financially to support a decreasing market.

I am realistic enough to know that this is but one small cog in a big wheel and there are a number of other initiatives which need to be imposed at the same time to deal with the whole scenario of preventing gun crime in the United Kingdom. Importing, manufacture, supply and conversion of imitation guns need to be dealt with in a similar way.

Despite the scare-mongering, this country does have some very good laws on firearms control and, as a result, we have not encountered the problems of gun crime to the same extent as other nations, in particular, the United States of America, where gun control is more lax. This, however, is not a reason to become complacent. Gun crime is increasing and to save lives, every effort should be made to control it, while we can. If we follow the lead of the United States, there will come a time when the battle will be lost and the guns will rule. Our policemen will all be armed, as a matter of course, and shootings will be so commonplace that they will become footnotes in the media. I love this country and would hate to think that unnecessary lives, such as my son and his half-brother, will continue to be lost because our government allowed it to happen. If just one life is saved, it will be worth it. If many lives are saved, it will be an investment in the future of this country.

Thank you for giving me the opportunity to share my experience and views with you.

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Submission from Rev Nims Obunge - The Peace Alliance

INTRODUCTION

With the rising surge in gun crime in the UK with a strong emphasis in the capital, the borough of Haringey and nearby Hackney has fallen prey to this societal ill therefore affecting the quality of life of its residents and reinforcing the fear of Crime. It is amidst this back drop that in 2001, the Haringey Peace Alliance and subsequently Haringey Not Another Drop campaign has emerged.

Whilst it is presently difficult to adequately measure the success of these initiatives in reducing gun crime in the long term, it is clear that the increase in community awareness and community empowerment has certainly been a vital and necessary benefit within Haringey. The experience of Haringey has been varied in our response to gun crime and other violent crimes. Below is a summary of initiatives adopted by the Peace Alliance and its partners.

Witness Appeal and Community Awareness

Following the shooting of a young man in Tottenham in October 2001 the Peace Alliance in partnership with the police and the local council community safety team launched a massive anti -gun crime publicity campaign using his picture to say Haringey had had enough. This was done with the support of his family.

Peace Week

In September 2001 Haringey's annual Peace Week was launched with a key focus on gun crime and community awareness. Activities included a Peace Walk with over 2000 participants taking a firm stance against gun crime. Prayers at known crime hotspots were led by local churches. Police organised community bus to educate on the impact of violent crime. The local council ensured that all estates were well lit and bulbs replaced to create a greater sense of safety and security for residents. Peace assemblies were encouraged in schools and arts and poetry competitions focused on Peace were encouraged in all Schools. Each year the Peace week continues to swell in participation from its partners within the statutory, community and voluntary sector. The results of this are attached. **I recommend a National Peace or Community Safety Week to be profiled by local communities thereby educating and empowering local communities on relevant issues.**

Victim Support

The support provided by the Peace Alliance to victims of gun crime is quite vital within Haringey. This support has in some cases assisted the work of the police with the families. There are key concerns about adequate and appropriate support for victims of gun crime. As was recently put to me there was a feeling that Victim Support was not adequately equipped to address the concerns of many affected victims. Haringey has recently employed a BME victim support worker and the Peace Alliance is working in partnership with Victim Support to develop appropriate programmes for victims. It is noteworthy that in some cases the Church has played a key role in providing various forms of support to victims.

Funding

Partnership with the Police and Local Council has made the process of funding community led initiatives more assessable and inline with key priorities to address the issues.

Gun Amnesty support walk & open forum on "Gun & Violent Crime"

During the Gun Amnesty in April, a local community group supported by the Peace Alliance staged an amnesty awareness walk through Tottenham distributing flier within the community as well as other literature aimed at creating an awareness of the need to surrender guns and cease from violent crime. The walk was followed by a community forum on 'Gun and Violent Crime' held at Broadwater Farm. Key concerns on parenting and support networks for parents and young people were raised.

The walk received a lot of community support, and was attended by families of victims affected by gun crime who joined in asking the public not to shield these criminals, and asked people to give up guns they may own.

The "Not Another Drop" (NAD) campaign in Haringey.

Initially launched in Brent, Haringey's Not Another Drop campaign against gun crime was adopted by black community leaders in Haringey. This was set up as a necessary response to the murders and the losses suffered by the community. The vision of the Haringey NAD should be to "create an environment whereby anyone considering involvement with guns in Haringey knows that they would be rejected by the community and that they would run a high risk of detection by the authorities".

The campaign included the following aspects:

- A poster campaign and specific launch of Crimestoppers focusing on leaders and members of vulnerable communities to encourage reporting on crime. This was done in an effort to break the silence caused by the fear of reprisal, and raise awareness of Crimestoppers with community leaders and these groups. The result of this was a reported tripling of calls to Crimestoppers. The Peace Alliance played a key role in developing this campaign with the Police, council and Crimestoppers ensuring that the message of anonymity was understood and embraced thereby

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- A drug awareness programme targeted at parents in various ethnic groups including the Turkish and Kurdish community was undertaken in partnership with the local drug education team. The result was that community groups and older members of the community are now aware of the drug problem, recognizing the symptoms in children and where they can get help and support in the borough.
- Other aspects of the campaign include hosting youth events and programmes which have attracted hundreds of young people at which a clear anti-gun and anti-drug message is given.

Launch of the Knotted Gun

The Haringey Peace Alliance and the Not Another Drop Campaign in Haringey worked in partnership with the Non Violence Foundation, Police and Local council to host Ms Dynamite and Common Weight Boxing Champion, Danny Williams to the unveiling of the Knotted Gun. This gun is a symbol of intolerable use of guns as a weapon of murder within communities such as ours. A joint programme for schools and youth clubs is being looked into.

Complexity of Understanding

It is evident that the complexity surrounding the use of firearms as a life style choice by offenders is something that requires much understudy and closer examination. Various views include guns as a fashion accessory; for protection; as a status symbol; to perpetuate drug trading; as an object for revenge, all have a place in the present debate. However it is important to note comments and observations I have noted from offender in Feltham and in other cases experiences of those who have not in prison yet have access to firearms.

Experiences in Feltham

Education

A young man in Feltham admitted for firearms offences once said to me with the agreement of his fellow colleagues "The schools give up on us(black people) too easily and when we are excluded we get sent to the pupil referral units where there are a lot of bad boy. There they teach us badness and that's how I got started. " The notion here then is that excluded children without a clear educational work program get lured into a very dangerous lifestyle therefore early intervention programmes are vital.

Employment

On the offer of an optional life style after Feltham another young person said that this would be an undervaluing of himself. By this he meant he earned in the range of £2000 per week and could not imagine what else that would afford him that kind of income. It is note worthy that this young person decided to take to the streets when every attempt to get a job seemed to fail. In this case decent educational opportunities for young people must become a priority. **The private sector must be welcome and engaged in this fight against gun crime.**

Parenting

Most of the young men I have happened to interact with all had parenting challenges. These included the lack or absence of roles of fathers, the busyness of mothers, a break own in marriage or relationship.

Access to Gun

The access these young men had to guns was quite astonishing. I got to realise that there was quite an active guns trade which included renting arrangements which in the case of the amnesty was unthinkable for active guns to be handed in because there was no telling who had used it and where. A young man me he had about three at a time with a cost range from £700 - £1,500.

Community Concerns

Trust with the Police

Whilst the police have come a long way following the Steven Lawrence enquiry, it is evident that much work needs to be done to develop and strengthen trust especially amongst BME communities. The causes of this lack of trust range from a sense of police harassment within the black community and their experiences of Stop and Search; notions that police informers get away with serious criminality; the experience of some families with Family Liaison Officers who have not been culturally sensitive to their issues; the concern that confidential information given to the police will not be treated with same levels of confidentiality in which it was given. These and other concerns challenge community members to share relevant information to the police who are still quite far from investigative prevention of gun crime and are still more involved with reactive enforcement.

Operation Trident must however be commended for their hard work but policing gun crime for the future may need a wider focus than the notion of 'black on black' as a need to address the growing conflict between the Kurdish/ Turkish community with Afro Caribbean youth.

Crime reporting issues

In a MORI survey commissioned by the Peace Alliance in August 2002 55% of the respondents expressed a fear of victimisation by criminal/friends of the criminal; 20% did not report crime as they did not have confidence in the Police catching the criminals'.

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Access to the criminals

Criminals are often shielded by the silence of the community and good initiatives, although they do long term preventative work, still do not get to the real criminals who carry these weapons with the intent of harm. There are no links between prisons, police, probation and community to ensure that likely offenders are engaged by the community as part of their rehabilitation programme. There must be a system that ensures a strong support and advisory and education network exists for these people.

Some family members of victims understandably never want their lost or injured child to be tagged as an offender and so are often defensive; therefore, lifestyle choices, questions and proper intelligence which could act as a future deterrent for young people are absent.

Community failing to address the issues within themselves

Many affected people in the community are aware of the criminality in their area but for unknown reasons some of which could include fear of recrimination, the notion of grassing or being seen as a police informer to report. However it is vital that community members are encouraged to take responsibility in addressing these issues albeit at some risk to themselves.

Other difficulties although not exhaustive include:
The lucrative nature of gun crime fuelled by drugs
Reactive nature of policing based on poor community intelligence.

Recommendations

I would like to make the following recommendations to the board to tackle the problem of gun crime:

- Local ownership of the agenda is vital hence language barriers must be overcome to engage both adults and young people of affected cultures.
- An outright ban on the manufacture and sale of imitation and replica guns thereby dealing with a major percentage of firearms offences. This however should not include the use of neon and similar toy guns which do have any appearance of a real gun.
- Support community lead initiatives working in partnership with Police and Local authorities thereby empowering leaders of various communities to tackle violent crime and gun crime in their local areas.
- Develop long lasting community links with the public and private sector to deal with issues that range from the breakdown of the family unit, educational underachievement and unemployment. Understand the devastating impact of gun crime on affected communities and society as a whole and seek to engage young people by seeking to provide an alternative culture and strengthen family unit.
- Spread best practices about anti gun crime involvement to the schools, youth organisation etc. Make it an ongoing mandatory requirement for LEA's and Heads of schools to support such crime and disorder initiative and a possible development of a Curriculum that focuses on these issues under the citizenship education programme.
- Provision of relevant social infrastructure for young people in affected communities thereby dealing with the apathy and boredom faced by young people in affected areas and focusing on a youth services that is relevant to the affected communities.
- Develop a national publicity campaign through relevant youth media to make the use of guns and drugs unacceptable. The use of role models will play a vital role.
- Directed and prolonged local and national publicity attached to new legislation related to gun crime to reinforce the unacceptability of firearms.
- Areas hard hit by drug and gun related crime should have a higher public visibility of police presence on the streets. MPS tactics such as stop and search and armed road checks should be targeted with community and police intelligence and not too arbitrarily so not as to invoke public reactions. The spread of MPS best practise with regard to the suppression of gun crime such as the Haringey Green Lanes response before incidents get out of hand.
- Dialogue with families affected by gun crime, equip and empower these families to tackle these issues on a local level.
- There must be an understanding of the ports of entry for guns as street knowledge of this is quite substantial.
- Outlaw the importation of firearms except those imported for military and police use.
- An effective national witness protection programme must be put in place to not only ensure the safety of witness but also their comfort and that of their families

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Submission from Tony Walker – Partnership Against Crime - Birmingham

Good Practice and Successful Initiatives

1. Deploying competent mentors, recruited from the community to work with the young people identified as being involved in gang activities.
2. Building a relationship based on trust and familiarity with a view to encourage the young people to take on board what Partnership Against Crime has to offer.
3. Partnership Against Crime has established relationships with various statutory bodies and service providers from the sport and education sector, thus offering a range of training and employment opportunities that young people are able to access through our project. As a result of these initiatives we have successfully placed a number of young people into training, education and employment.
4. Partnership Against Crime, networking with other local groups, has taken a number of young people from different parts of the local community (territories) on residentials to encourage unification and togetherness.
5. Partnership Against Crime has taken young men on what is termed as an “Army Day Experience” to give them a chance to be instructed by professionals about the dangers surrounding the misuse of firearms and also the benefits of working together.

Difficulties encountered

1. Lacking in numbers of positive-minded people willing to join the fight against gun and gang crime.
2. Lack of resources to encourage young people off the street and keeping them focussed and motivated.
3. The unacceptable number of young people (mainly young men), being excluded from mainstream education at a very young age. This puts them closer to the grasp of the gang culture.
4. The bureaucratic maze that groups such as ourselves encounter when applying for funding to enable us to implement positive strategies in the communities.

Information lacking in the fight against gun crime

Partnership Against Crime readily receives the necessary information we need from our partners, groups and individuals from the community.

Recommendations

1. Mandatory 7 year sentence for possession of firearms and/or ammunition. Mandatory 12 years sentence for the use of firearms, but not necessarily injuring a person.
2. Statutory bodies such as Probation Service, Youth Offending Service, Social Services, Police and the Education Sector to work more closely with organisations such as Partnership Against Crime, when the future of young people is at stake.
3. Helplines in cities affected by gang and gun culture for,
 - (a) young people who are being bullied to join gangs.
 - (b) young people who are in gangs and wish to leave but need the support.
 - (c) families of victims of gang and gun crime who need support.
4. Extensive research into the working practices of schools when dealing with young afro-caribbean and ethnic minority young people. This should bring about a definite change in policies.

Further Steps

- The extensive monitoring of asylum seekers entering the UK from war torn countries.
- Encourage and support the networking and liaising of groups from different countries who are having the same experiences in their communities and are in the same field of community work.

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Submission from Col Argon Sojati SECI Center - Bucharest

SECI Center for combating Transborder Crime is a new initiative bringing together law enforcement agencies such as police and custom of the South East Europe.

- **Outline good practice and successful policy initiatives in reducing weapons trafficking a) internationally and b) into UK.**
 - **What is SECI Center and how SECI Center can and is assisting countries taking joint measures and being successful against transborder trafficking in general and SALW!**

Combating Cross-Border Crime and Corruption (Host country: Romania)

- In May 1999, a SECI working group produced an "Agreement on Co-operation to Prevent and Combat Trans-Border Crime." A "Charter of Organization and Operation of the SECI Regional Center for the Combating of Trans-Border Crime" is incorporated in the Agreement. 11 SECI Participating States have ratified this agreement.
- The SECI Regional Center for Combating Transborder Crime has been operational since January 2001 and now functions as a regional focal point for the communication and transmission of information in "real time" on cross-border crime. As of March 2002, 15 liaison officers (police and customs officers) from 9 SECI countries had been deployed to the SECI Center. These officers work in close cooperation with law enforcement experts from Austria, Belgium, France Germany, Italy, Spain, Ukraine, the United Kingdom, the United States and other interested countries. During its first year of operation, the SECI Center processed more than 3100 requests for the exchange of information related to transborder criminal activity in the region
- Specialized task forces composed of police and customs officers from SECI Participating States have been organized and are operating in the region. The task forces include *inter alia* law enforcement experts from international organizations and SECI Supporting States. The task forces are aimed at combating a variety of transborder crimes including illicit drug trafficking, trafficking in human beings, customs valuation fraud, commercial fraud, financial and cyber crime, **trafficking in small arms**, trafficking in stolen vehicles and trafficking in radioactive and other dangerous substances. Recently, SECI Center has established Anti – Terrorism Task Force where three other task forces are included.....
- On February 25, 2002, an agreement was signed between INTERPOL, the SECI Center and the Romanian Government. The agreement links the Center's information exchange on cross border crime to the established police co-operation within the INTERPOL-framework. Under the agreement, the SECI Center will be connected to INTERPOL via the Romanian INTERPOL National Bureau located in Bucharest.
 - **What SECI Center Task Force in SALW consists of?**

Task force is a working method that provides special support in the area of identifying the problem in the region with countries specific, preventing and combating illicit traffic small arms, and cleaning up the areas from illegal arms possession in accordance with **SECI Mission**.

The Task Force members consists of a joint team from police and custom officers from different departments of our agencies as well as representatives of other departments that by law cover this traffic at national level (in accordance with the international law and national legislation of the participants). It is anticipated that the appropriate organizations (where the MoU exists) dealing with this subject to be part of this on the field of exchanging information and by supporting the project established on regional bases.

MISSION

To implement an international approach in prevention, detection, tracing, investigation and repression of the Traffic on Small Arms by establishing direct, sustainable and rapid channels of information exchange among participants of the TF. By intensifying efforts in a number of areas, including destruction of surplus small arms, stockpile management and information sharing we provide a better environment on security and stability of our region.

GOALS

- ▶ To establish, or designate as appropriate, national coordination agencies or bodies and institutional infrastructure responsible for policy guidance, research and monitoring of efforts to prevent, combat and eradicate the illicit trade in small arms in all it's aspects.
- ▶ To promote of an effective intelligence sharing by developing sustainable police and custom cooperation and establishing mutual relation between law enforcement agencies of the participating countries.
- ▶ To identify groups and individuals engaged in the illegal trade, transfer, possession, as well as financing for acquisition, of illicit small arms, and take action under appropriate national law, against such groups and individuals.
- ▶ Ensuring that effective development and coordination of national, regional and international institutions and mechanisms to assist such efforts is achieved and maintained.

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- **Operation Ploughshare,**

Code name of the operation is " PLOUGHSHARE "

PLOUGHSHARE is a joint international exercise targeted to fight against trafficking on small arms and ammunitions in the territory of SECI Member States and participating Countries involved in the SECI TF in Small Arms.

Collection of the information and analysis of significant seizures of small arms and light weapons will extract operational intelligence.

The tactical, as well as strategic intelligence that is developed by SATF will be disseminated back to the concerned member states.

SCOPE OF OPERATION

Initially, the Task Force took the responsibilities of gathering strategic, region-wide data on SALW in the SECI region to provide an overall assessment to participating countries.

Operation consisted in establishing;

- Sustainable channels and the Contact Persons Network for information exchange.
- Register for adding data from the seizers, to show numbers, production and what happened to the SALW seized,
- All information which countries addressed to OCU-Operation Coordination Unit, was analyzed in periodically basis and countries had feed-back,
- The host country (for this project) served as a coordinator for information exchange and request compliance, while the SECI Center coordinated the cooperation among participants, through its LO Team and Project Coordinator.

Case study from Ploughshare operation;

I would like to introduce a case what was initiated by Hungarian Customs and Finance Guard, and which is still an ongoing case in Hungary and has international links.

In 2003 February a Croatian citizen entered Hungary though Serbia and Montenegro using a passenger car with Dutch plate number with Holland as destination country. The customs officers used risk analyses and decided to carry out detailed customs control.

As the result of the customs control the Hungarian Customs seized 10 small arms from which 4 revolvers and 6 pistols were, 5 of them were loaded with ammunitions and were at full cock. Furthermore 60 pieces 9 mm munitions were seized.

The small arms were hidden into the hole behind the carpets of the boot.

During the seizure it was established that the arms were made in Serbia and Montenegro. The offender was arrested and the Hungarian Customs forward the case to the Hungarian Police, which has competence to investigate in arms trafficking.

The SECI Center became aware of the seizure from open sources, because the Hungarian News Agency edited an article about the case. While the Hungarian Customs and Finance Guard has sent the Seizure Report to the SECI Center.

During studying the case we recognized the international links to **Croatia, Serbia and Montenegro** and to **Holland**.

In order to fulfill our mission we immediately established contact with the involved countries.

- We forward the seizure report to PLOUGHSHARE Operation.
- We made a direct contact with the case officer in Hungary, and inspire the Hungarian Police to send a request in order to obtain the relevant information from the countries.
- Afterwards we send request to Croatia – through LO to SECI Center
- To Serbia and Montenegro - through LO to SECI Center
- And to Holland – through LO in Embassy.

During the time came to our attention that the Dutch authorities made contact and initiate cooperation with the Hungarian Police. For further cooperation with the other involved countries like Croatia and Serbia and Montenegro SECI Center was asked as a coordinator.

By the response from Croatia it was established that the offender left Croatia in the early 90s and his passport was issued and handled in Haag, Embassy of Republic Croatia.

By the response from Holland it was established that the offender moved to Holland in 1999 and has registered residence from 2001.

By the response from Serbia and Montenegro it was established that the seized small arms were stolen in Serbia and Montenegro. And the Serbian authorities initiated criminal investigation based on the seizure report and request from the SECI Center. During the investigation 4 people were arrested and it was also established that it was the second transportation from Serbia and Montenegro to Holland.

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During the investigation the Hungarian authorities established that the seized arms were in a used condition. They made an examination and compared the seized arms and the arms used in Hungary committing different crimes. By the result of the examination the seized arms were not used in Hungary in any crime.

The Hungarian Police offered assistant to the authorities in Serbia and Montenegro in order to identify the seized arms if they were used for committing any crimes.

For the complete proof of the crime the Hungarian Police initiated confidential investigation carrying out simultaneously with the open criminal investigation.

Dutch authorities started investigation in order to detect the customer of the small arms, and obtain information about the previous transportation.

The main goals of this joint investigation is to;

- Detect the whole network in Serbia and Montenegro as well as in Holland
- Obtain all the relevant information about the previously sold small arms
- Establish the purpose of the trafficking of small arms, like who were the customers, for what they wanted to use them,
- And finally to prosecute and judging all the offenders.

As it shows the SECI Center has the will and operational means to coordinate joint investigations and at the same time to provide assistant to the authorities in the involved countries

25th of July a meeting is scheduled for experts from countries involved in this case.

- **Outline difficulties faced addressing the problem of weapons trafficking a) internationally and b) into the UK.**

Information exchange

- Timeliness
- Standard Operation Procedures

Intelligence Collection

- Compatible systems
- Consistencies of Reporting
- Universal availabilities of information (access to Databases)

Operation/Investigation Cooperation

- Real time coordination
- Action

- **Detail what information is lacking that is needed to combat weapons trafficking a) internationally and b) into the UK.**
 - List of stolen / Missing weapons
 - Access to both Police & Custom; Databases
 - Sharing information on ongoing or proceeded cases
- **Detail any specific recommendations you would like to make to the UK government to further reduce weapons trafficking a) internationally and b) into the UK.**
 - Take more action role in key regional efforts
 - Provide experts to SECI as advisor on these type of investigations
- **Outline any further steps the International community could take to address weapons trafficking a) internationally and b) into the UK.**

Regional approach

- Use SECI Center and other existing international organizations rather than build something new from ground up
- Set up regional Lab / Firearms related forensics in support for SECI
- Assist in 24 h SECI Center watch office giving regional access around clock

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Submission from Saferworld

APPG Gun Crime Parliamentary Hearing – International Aspects

July 15 2003

Saferworld is an independent NGO working to identify, develop and publicise more effective approaches to preventing armed conflict. Saferworld develops and implements regional programmes and practical projects with local partners in the Balkans, Central and Eastern Europe and Southern and Eastern Africa. Emphasising the need for tougher controls on the availability and misuse of small arms forms an integral part of our work.

Introduction

The rise in UK gun crime in 2002 by 35% shows the urgency of the situation which is part of a global phenomenon. In 2002, 638 million small arms and light weapons were in worldwide circulation, representing a 16% increase on 2001 figures. The Government has taken a lead internationally in supporting action to tackle small arms (recently at the Biennial Meeting of States at the UN Programme of Action for Preventing and Combating the Illicit Trade in Small Arms and Light Weapons, 7-11 July 2003), but more is still needed to tighten legislation, address trafficking and improve law enforcement.

The Balkans, Central and Eastern Europe are often quoted as the source of illicit weapons entering the UK. British police are discovering larger caches of weapons smuggled from countries including Albania, Bulgaria and Romania, such as the semi-automatic rifle reportedly used to shoot Charlene Ellis and Letisha Shakespeare in Birmingham. Throughout Eastern Europe there are large stocks of weapons left after the Cold War. For example, over 350,000 weapons are still unaccounted for after the collapse of state authority in Albania in 1997.

Saferworld has been working with local NGOs and governments to strengthen export controls and engage with law enforcement officials. In the Balkans, Saferworld has worked with the South Eastern Europe Cooperation Initiative (SECI) Regional Centre to help develop work on combating illicit small arms trafficking. Countries in Eastern Europe need help to comprehensively address the illicit flow of arms to criminal gangs and terrorist groups in EU and regions of conflict throughout the world

This submission outlines what action can be taken internationally and by the UK Government to curb the spread of small arms and light weapons and highlights measures to address the supply of illicit firearms into the UK from countries in the Balkans and Central and Eastern Europe.

Outline of good practice and successful policy initiatives in reducing weapons trafficking a) internationally and b) into the UK.

Internationally

- **The 2001 UN Programme of Action to Prevent, Combat and Eradicate the Illicit trade in Small Arms and Light Weapons in All its Aspects (PoA)**
This now stands as the central global agreement on preventing and reducing trafficking and proliferation of small arms and light weapons. The PoA is a politically binding international agreement by consensus at a high political level. It concludes many important commitments and establishes a range of key international norms, standards and programmes. Saferworld recently attended the review of the PoA at the UN between 7-11 July 2003.
- **EU Code of Conduct on Arms Sales**
Set up in 2000 the Code aims to set common standards across the EU using specific criteria to judge applications for export licences. Amongst the criteria is provision to reject a licence due to a risk that arms will be re-exported or diverted under undesirable conditions.

Into the UK

- **Operation Ploughshare**
The SECI centre for combating transborder crime brought together nine South Eastern European countries to develop information exchange and communication channels on seizures of small arms and light weapons amongst border, customs and law enforcement agencies.
- **Stability Pact Regional Implementation Plan**
The Stability Pact for South Eastern Europe was established by the UN in 1999 with the aim of strengthening efforts to foster peace, democracy respect for human rights and economic prosperity in the Balkans. Through the pact and its implementation plan a regional clearinghouse for small arms and light weapons was created (the South East Europe Clearing House for the control of Small Arms and Light Weapons (SEESAC)). This clearinghouse oversees the collection and destruction of small arms, engages with community groups to educate on weapons and encourages cross border controls on transfers of weapons.

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Outline difficulties faced addressing the problem of weapons trafficking internationally and into the UK

Internationally

- The UK Export Control Act (2002) does not include full 'extra territorial' controls on UK arms brokers. Presently UK arms brokers operating abroad are not covered by UK legislation if they broker conventional arms. The Government did make full extra territorial controls on brokers an election manifesto pledge but have failed to implement it in legislation. One of the reasons given by the government for this is a lack of resources.

Into the UK

- Funding for combating illicit arms trafficking into the UK is a poor third behind funding for people and drugs trafficking, even though these three issues are often intrinsically linked, as mentioned in the submission to the APPG from Detective Chief Constable Nick Tofiluk of the West Midlands Police.
- Interpol, one of the most advanced bodies involved in the fight against illicit arms trafficking and host to the only international database for stolen and recovered weapons, has reportedly only one analyst working on firearms trafficking. Capacity must be increased in order to utilise Interpol resources fully.
- The lack of information exchange between national and international bodies prevents fast effective policing. The introduction of the National Forensic Firearms Intelligence Database is a move the right direction but the lack of evidence on seizures of weapons by customs shows a clear need for more intelligence gathering.

Recommendations to the UK Government

- **New controls on British arms brokers working overseas.**
There is growing evidence that British arms dealers are crucial figures in the supply of firearms to conflict regions. Yet despite an election manifesto commitment to control British arms dealers "wherever located" the Government is unwilling to introduce extra-territorial controls in the Export Control Act. One of the Government's arguments against this has been that there are not the resources to effectively implement extra-territorial controls. But the new funding for the police to combat firearms trafficking recently announced should increase their capacity both to control illicit weapons flows into the UK and to regulate the British brokers.
- **Enhanced efforts to reduce the spread and availability of weapons at source in Eastern Europe and the Balkans.**
The Government should increase their work with EU applicant countries to tighten their controls before they are admitted to the EU, and more resources are needed to tackle proliferation in the Balkans. Seized and surplus stocks in the Balkans should be destroyed.
- **Increase funding for the police and intelligence services to combat firearm trafficking.**
The police have been under-resourced in this area for too long with firearm trafficking coming a poor third for resources behind efforts to combat people and drug trafficking. Increasing the resources available for this would help combat the criminal networks that are bringing illegal firearms into the UK and control British dealers supplying weapons overseas.
- **Improve coordination between the customs and police.**
There have been newspaper reports of a lack of effective co-operation between Customs and the police to tackle firearm trafficking. If the £1.4million National Forensic Firearms Intelligence Database, launched this April, is to be effective it should be mandatory for Customs officers to supply precise information on weapons seized coming into the UK. Without this it will be difficult to trace the sources of illicit arms.

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Submission from UK Customs and Excise

1. Outline good practice and successful policy initiatives in reducing weapons trafficking:

a) internationally

- UK policy for weapons exported from the UK is set by the lead Departments, namely Foreign & Commonwealth Office, Ministry of Defence and Department for International Development. The Department of Trade & Industry licences exports of arms from the UK and Customs enforce the licensing controls by carrying out risk-based and intelligence-led checks at UK ports and airports, and inland.
- Where the weapons are located overseas, Customs enforce UN Sanctions Orders prohibiting the supply by any person or entity in the UK and by UK registered companies or nationals overseas to embargoed destinations. These controls are intelligence led and involve close cooperation with the intelligence agencies and with overseas governments.
- Customs support outreach programmes led by FCO and MOD to ensure that other countries have robust export controls compatible with UK / EU and that they are not used as bases by UK companies and nationals to circumvent UK export controls. This support includes providing on best practice advice on detailed aspects of controls at the border.
- Customs attend the Licensing and Enforcement Officers meetings of the Wassenaar Arrangement where good practice and information is shared and the impact of new policy initiatives on enforcement is discussed.
- Customs support DTI outreach programmes to UK defence companies and Defence Manufacturers' Association seminars to ensure the trade is fully aware of UK export control requirements and also the consequences of breaching them.
- Customs together with the DTI Export Control Organisation carry out a programme of awareness visits to Customs staff at UK ports and airports to ensure they are up-to-date with current developments.
- Customs co-operates with overseas administrations to assist prosecutions in countries where illegal arms trafficking has occurred.

b) into the UK

- Customs carry out physical and documentary checks on commercial imports of firearms to ensure that the number and type correspond with the import declaration and import licence.
- Customs have a network of specialist officers whose duties include carrying out post-import audit controls on firearms dealers and other in-depth audit checks, including repairers, engravers and embellishers, gunsmiths and deactivators to ensure imported and exported firearms are not diverted to the illicit market.
- Customs reviewed the role of these officers, which we refer to as FXOs (Firearms and Explosives Officers), as part of our 2002 review of the control of RFDs (Registered Firearms Dealers – as above.) This review led to decisions to beef up the role of FXOs to give more emphasis to the roles mentioned above, away from the more routine co-ordination and “make safe” activity. We are currently in transition in implementing their new role.
- Customs undertake targeted border checks using intelligence drawing on local, national and international sources. Intelligence staff monitor and evaluate routes and means of smuggling firearms into the UK or via EU, e.g. postal system, fast parcel movements, freight lorries, travellers, private vehicles, coaches, pleasure craft and light aircraft. Intelligence also aim to identify (working closely with NCIS and police) the main sources of illicit firearms and spare parts and what proportion originated in the EU either by manufacture or originally legally held, or were manufactured outside the EU.
- Customs undertake appropriate follow-up activity in any case where smuggled firearms are detected. This will usually mean investigation by our own specialist teams. We also ensure that detections of components of firearms are passed on to police for their information and follow-up if they feel the circumstances merit it. The actual arrangements for this are being reviewed by NCIS and police, and we are happy to cooperate with their conclusions. But Customs remain committed to ensuring that intelligence which could be of value to another agency in determining the likelihood of illegally held weapons, is passed on.
- We have enhanced our internal capability by updating anti-smuggling search techniques and also training in recognition of firearms and component parts.

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2 Outline difficulties faced addressing the problem of weapons trafficking:

a) internationally

These factors are key to every case where Customs seeks to investigate cases of weapons trafficking. Managers make judgements against them at all stages of a case.

- The gathering of sufficient evidence to a criminal standard to be able to mount a successful prosecution in particular when the offence occurs overseas.
- The availability of witnesses from overseas and their willingness to give evidence.
- The reluctance of some states to share information on arms transfers.

b) into the UK

To a varying degree, the points above can apply in cases involving trafficking into the UK. In addition, Customs would welcome the development of new mechanisms that aid detection of illicit firearms destined for the UK to compensate for the removal of border controls in an enlarged EU.

3. Detail what information is lacking that is needed to combat weapons trafficking:

a) internationally

Our views here repeat the points made earlier.

- It is the nature of the trade that some states are reluctant to share information on arms transfers.
- To secure a successful prosecution Customs need evidence to a sufficient standard to convince a jury that a substantial breach of export controls has occurred. This is obviously a high test in all criminal cases. But it should not be overlooked that Customs have to demonstrate *guilty knowledge* – knowledge that they knew what they were doing and did so to get round export controls - on the part of defendants. This can pose challenges when the information is far off and defendants can argue that they were going about their normal business.
- That said, these are day-to-day issues and the reality of life, although they help to explain the gulf, in some instances, between the apparent clarity of some press reports about overseas activities and the feasibility of enforcement action.

b) into the UK

- Obviously Customs will always welcome good information provided in good faith by members of the public or the trade who are aware of illegally smuggled firearms, or attempts to smuggle them.
- Customs experience some difficulties in relation to accessing information related to movements of goods from another EU member state. Specific information is accessible. But not (because of constraints imposed by the lack of an explicit legal gateway and the need to respect the Human Rights Act) the sort of bulk information that would aid profiling and targeting.

4. Detail any specific recommendations you would like to make to the UK Government to further reduce weapons trafficking

a) internationally

We believe the agenda should include the following :

- Continue to work with other countries to ensure that their export control legislation and enforcement activity is effective to international best practice and standards.
- Continue to develop information sharing mechanisms with governments.
- Concentrate trafficking and brokering controls on banned goods, and direct and indirect supplies to embargoed destinations so that investigation resources are not diverted into dealing with technical offences but are targeted on the more serious offences.

b) into the UK

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- To enable Customs specialist firearms officers to track the movement of commercial importations of firearms by firearms dealers to final disposal, including re-export, Customs has proposed either an amendment to the Firearms Act or other legal instrument to ensure that Customs has powers to make checks on dealers records and stock on domestic transfers between dealers. As a Treasury department our main legislative vehicle is the Finance Act. Prohibitions and restrictions matters are not permitted. This proposal has been accepted by Home Office and Customs accepts that provision will be made once higher priorities have been addressed, possibly in a future Criminal Justice Bill.

5. Outline any further steps the International community could take to address weapons trafficking

a) internationally

Four broad areas :

- States that have not already done so should adopt export controls on trafficking similar those proposed by the UK.
- States should continue to develop a culture of compliance in their national arms trade.
- States should continue to establish and maintain information contacts with key licensing and enforcement officials .
- States should be willing to share information on breaches of arms trafficking controls.

b) into the UK

- Press for minimum international standards within the EU for:
 - the deactivation of firearms
 - the manufacture of replica and blank firing hand guns in order that they are not capable of being converted to fire live rounds.
- For example, some member states have more relaxed standards of convertibility of blank firing hand guns, and so their producers market weapons which can be too readily converted. These have ended up on the streets. Customs recognises the important work led by ACPO in obtaining agreements from producers to raise their standards or withdraw items.
- Encourage the adoption throughout the EU of national governments requiring all handguns and replacement barrels have a centrally recorded ballistic fingerprint by ballistic testing by a competent authority before retail sale.

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Submission from National Criminal Intelligence Service

This letter outlines the NCIS submission on the questions asked in relation to international weapons trafficking issues. The information supplied is based on information from police forces, HMC&E and other UK intelligence agencies including NCIS to provide an overview of the issues.

Outline good practice and successful policy initiatives in reducing weapons trafficking a) internationally and b) into the UK

a) The National Criminal Intelligence Service (NCIS), UK Police forces and EUROPOL are currently working with a number of South Eastern European countries (Albania, Bulgaria, Macedonia, Moldova and Turkey) in an effort to reduce the number of weapons trafficked from Eastern to Central Europe. Over the past 6 months operations to reduce weapons trafficking have been undertaken in these countries, resulting in the seizure and detection of 217 Handguns and 278 Automatic weapons.

NCIS Firearms section evaluated these operations and identified the need for improvement, by way of training in the following areas:

- Problem profiling
- Intelligence gathering
- Intelligence led operational activity
- Results analysis

Following the evaluation of these operations a collective decision was made by all countries to continue these border operations for a further 6 months to support the European drive to reduce weapons trafficking by organised crime groups. Further evaluation will be conducted at the conclusion of the second phase to establish the impact these operations are making on trafficking across Europe.

b) The NCIS Firearms Crime Intelligence Section (FCIS), through the INTERPOL network, provide UK law enforcement with a firearms tracing service for recovered firearms used in crime. From this work the section are seeking to identify the global movements of weapons impacting on the UK, the movement of weapons between countries and identification of suspect firearms dealers to provide a strategic picture regarding weapons movement and vulnerable borders. Work can then be focused towards European law enforcement interdiction.

This is achieved by establishing the following:

- The origin of the weapon (country and manufacturer)
- The movements of the weapon since manufacture.
- The point at which the weapon enters the UK or into criminal possession.

Trafficking of firearms into the UK takes many guises from concealment in vehicles, personal baggage, secreted in freight and through the postal delivery service. Over the past 12 months HMC&E have detected single item parcels containing firearms and parcels containing component parts and ammunition. These detections are from the Parcel Force sorting office, which handles a proportion of the mail entering the UK, with the remainder controlled by private carriers such as UPS and DHL. There is no intelligence to indicate large scale smuggling of weapons into the UK through the postal system.

Some success has resulted from the detections by HMC&E at the central Parcel Force sorting office in Coventry, where HMC&E officers have identified a number of suppliers of firearms and component parts. These are firearms dealers who offer goods for sale over the internet and mail the goods from the United States of America and Europe. These detections have been dealt with by way of controlled deliveries to the UK recipients by either Police or HMC&E and a number have resulted in arrests for conversion of blank firing and air pistols.

Work is currently underway with regards to the suppliers, assistance is being sought with law enforcement in the USA and a number of options have been proposed by the French authorities.

The NCIS Firearms Crime Intelligence Section (FCIS), identified the need to raise awareness, throughout the law enforcement community and ports security regarding the emerging problem of disguised firearms and weapons. A compendium of disguised weapons in CD form has been produced and together with a manual has been distributed to all law enforcement. The FCIS are currently engaged in a program of presentations to ports security staff, to raise awareness of these weapons and establish detection methods to identify trafficked weapons.

Outline difficulties faced addressing the problem of weapons trafficking a) internationally and b) in to the UK

a) The work currently being undertaken by UK law enforcement in South East Europe covers the areas of intelligence gathering, problem profiling and operational activity on the trafficking of weapons.

These areas have been identified as a problem due in part to the lack of understanding of how an intelligence led approach to combating organised crime and how the partnership approach to exchanging information between law enforcement agencies can benefit their National and International firearms problem.

By establishing common working practices within each country and identifying the organised crime groups active across borders and into central Europe, this would provide valuable intelligence to support Central European initiatives.

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b) The main areas of difficulty regarding trafficking of weapons into the UK relate to the focused approach to detection and the exchange of intelligence between agencies from these detections.

HMC&E is responsible for the frontier control of trafficking into the UK and follow up activity in respect of a wide range of restrictions such as the importation of firearms. However, the HMC&E law enforcement Business Plan does not cover action specifically on the illegal importation of firearms. The vast majority of detections appear to be as a result of examinations based on revenue collection.

Detail what information is lacking that is needed to combat weapons trafficking a) internationally and b) into the UK

a) Due to the lack of intelligence around trafficking activity into the UK, there are difficulties when engaging with our European partners to identify those organised crime groups active in trafficking firearms throughout Europe and into the UK. Intelligence from HMC&E on the following areas would greatly assist in building a picture of the international trafficking problem.

- Full details of all weapons detected at ports.
- Full details of vehicle, driver, routes to and destination in the UK.
- Details of postal intercepts - the weapon/parts, sender, recipient.

b) Information relating to the import and export of firearms by registered firearms dealers would assist in identifying leakage from within this market which may be fueling the illegal UK gun market or providing parts for the conversion of blank firers and air weapons. Currently the only law enforcement agency sighted on details of firearms imported into the UK are HMC&E. The policing of those weapons held by the dealers falls to the Customs Firearms & Explosives officers.

The following information, which is currently supplied under EU firearms directive (91/447/ETY article 11:2) would greatly assist UK law enforcement

- Full Details of all firearms imported into the UK
- Details of registered firearms dealers holding these weapons.

Detail any specific recommendations you would like to make to the UK Government to further reduce weapons trafficking a) internationally and b) into the UK

a) The importation of blank firing weapons and the sale of such weapons over the internet are a major concern for UK law enforcement. A number of these weapons have been easily converted and used in crime, these weapons in their original states have then failed the UK FSS (MFE) Model Firearms exemption.

Moves by the Home Office to use Article 15(4) of the council Directive 91/477/EEC of 18th June 1991 and notify the commission that these particular blank firing weapons failed to meet the UK MFE and ask for these details to be passed to EU member states would then make it illegal for any supplier throughout the EU to supply these weapons to the UK. This would remove the availability of these firearms.

Outline any further steps the International community could take to address weapons trafficking a) internationally and b) into the UK.

The current activity regarding the destruction of stockpiled weapons in Eastern European countries appears to be reducing the availability of small arms and light weapons by organized criminal groups. Solutions need to be found to reduce the volume of illegally held and manufactured weapons in these countries which still pose a threat to the UK.

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Submission from David Mills, Chairman of the Airgun Training and Education Organisation

Preamble:

The Airgun Training & Education Organisation are a group of responsible airgun users who believe that the way to counter airgun misuse is to actively promote the safe use of airguns by training and education to people of all ages about the benefits of using airguns for sporting and pest control purposes. We are a self-funded group who get support from shooting organisations and airgun manufacturers, who allow us to borrow equipment to demonstrate safe use to the public.

We believe that serious Gun Crime is attributable to the Gang and Drug culture that is currently endemic to our inner city areas and remains unaffected by the anti-gun initiatives that are currently in place. Until these core issues are dealt with, no improvements will be seen. A concerted effort needs to be made to re-integrate these people into our society or they must be gaoled for a considerable amount of time.

The issue of prohibited weapons being brought into this country illegally needs to be addressed, preferably by increased custom controls and severe penalties for any one caught bringing these items into the country. We can speak from personal experience that it is far harder to leave the country with a legally held airgun, than it is to bring it back into the country. It is also a complete misconception that the guns on the street come from legitimate gun owners as legal private ownership of cartridge-firing handguns has been banned in this country, and there are already enough restrictions on safe storage, etc; to ensure that guns do not get into the criminals hands from this source.

Every time we have an arms amnesty a great deal of publicity is made of the fact that a large number of guns and ammunition have been taken off the street, In photographs that we have seen in the local press, or pictures on TV, most of the guns and ammunition shown as handed in, are of legally held airguns and pellets, that were no longer required by the owners, or had been inherited by them.

We believe that we can be of assistance in the problems caused by airguns, as they are often used by people who do not know the law relating to the use of them, and the severity of the penalties that could be imposed for misuse. It is sometimes the case that problems are caused by sheer stupidity or ignorance that can be pointed out to purchasers at the time of sale or shortly after.

We also need maximum publicity when a severe penalty is imposed, as only by publication of penalties and they're being used, will we see an end to the misconceptions that surround airguns. A major one of these, concerning airgun crime, is that it is done by young people. This is not always the case as sufficient restrictions already apply to the young shooter.

As a group we need to be able to set up clubs where we can train new owners of airguns about their safe use. We find it difficult to get "change of use" planning permission when setting up a club. Local councils will not let us open the many pistol ranges in the basements of swimming baths and leisure centres that are in inner city areas. We also need to be able to get the right type of publicity about these venues to encourage their use. Funding would also be helpful, as has been shown where car workshops have been provided for young people convicted of joy riding or car theft.

We are also prepared and able to stage training events in all parts of the country to get our message across, and believe that we need to do these types of events at schools and other places where young people can be contacted.

We need to be able to get sensible comment printed by the press. A lot of the media are anti-gun without actually knowing the facts. The situation with Brocock pistols has arisen because a scapegoat was needed for the shootings in Birmingham. These crimes were not carried out using Brocock pistols, but a lot of legitimate owners are going to lose their sport, and a company and its' staff lose their livelihood without this legislation actually achieving anything. It is a proven fact that the banning of guns does nothing for the crime figures. Since the banning of handguns the incidences of shootings have gone up by a considerable amount, and the guns used in these shootings have not been legally held guns; they have been illegally imported into this country by gang members and organised crime. The majority of them – automatic weapons, for example -have been banned in this country for a considerable amount of time.

As a group we are prepared to consult and work with Government and the authorities to try to overcome some of the problems caused by the small amount of airgun misuse, in a sensible reasoned manner. We would welcome the opportunity to work with the police in local communities to allay some of the fears held by the public about the equipment that we use, and to show that the majority of air gunners are sensible, law-abiding citizens and not the criminals the media would have the public think they are.

Background to the Airgun Training & Education Organisation:

The ATEO was set up to educate, train, and promote all aspects of airgun shooting to the public. We believe that correct training, an understanding of the laws involved in airgun ownership and use, the correct levels of supervision and access to locations of clubs will encourage people to enjoy the sport - and this in turn will, hopefully, help to reduce some of the misuse of airguns.

All the team have a vast experience of shooting sports and pride themselves on their knowledge, skills, patience and humour.

Safety and the legality of the sport is our paramount concern at all times

The ATEO provides a wide range of options, from "Have a Go" Stands, fun days, Airgun Awareness Days, airgun courses, coaching to sporting competitions

We offer a full, mobile, service to most locations in Great Britain and can provide all the necessary shooting equipment.

Airgun misuse

It has to be admitted that much airgun misuse comes about due to the fact that:

- There is a lack of education and easily available information concerning the ownership and use of airguns in circulation.

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- An apparent reluctance on the part of the judiciary – magistrates and judges – to impose the maximum penalties on convicted offenders.
[We attach a list of the offences and penalties for your information.]
- A shortage of places where safe practice can be taught, clubs formed and run, and where safe, regular, competitive use of airguns may be encouraged – primarily due to planning constraints on the “change of use” for areas of marsh, scrub or woodland that would be eminently suitable for this purpose. There are many sports centres in inner city areas that have a 25-metre pistol range in their basements. Nearly all of these were closed post-Dunblane and would make excellent training facilities and take people, both young and old, off the streets and enable them to use airguns and BB guns in a safe, controlled environment where they could be taught to use them safely, responsibly, competitively and enjoyably.

There is a wide range of airgun shooters and their equipment is specialised for the specific sport or activity they follow. The NSRA (National Small-bore Rifle Association) has a large membership who shoot targets at indoor venues and use air rifles and pistols which have their power limited to a maximum of six foot pounds. They are however, vastly outnumbered by those who own and legitimately use “sporting” air rifles for competitive Field Target shooting or Hunter FT [both sports that started in Great Britain and which have spread, and are spreading, throughout the world) or for pest control of specified vermin. These rifles have a maximum power limit of 12 foot-pounds.

An area of concern to many airgunners and airgun-using associations is the testing of airguns. Representations have been made to Home Secretaries and Ministers of Sport of both major parties, in the past, and all have received the same reply - telling us what we already know – that any airgun capable of exceeding the 12-foot pound limit requires a Part 1 Firearms Certificate.

Many clubs have chronographs or chronoscopes available for their members to check the power levels of their guns, to ensure that they are below the specified legal limit, but there is now a bewildering range of pellets available, in different formats and weights. There are problems here to overcome:

- Not all chronographs read the same – we have instances where 2 are put in line and a shot fired through / over these can give readings differing by a quarter to half a foot-pound.
- If the police confiscate an airgun, there is no guarantee that it will be tested with the pellet the shooter normally uses, and the owner has no idea what pellet may be used for the test. It may be one of a type that they would never use, or which may not be readily available in their locality.
- Most shooters of sporting air rifles use their equipment year round, and so test their guns outdoors, in the open. Confiscated guns will be tested at room temperature or in a warmer environment that will heat up the air in air cylinders, or thin the gun's lubricants in a spring gun, making the action slightly faster than normal.
- We have suggested that a spherical lead ball, of known weight and of relevant diameter for the calibre concerned, be used to test all airguns and a maximum “feet / metres per second” figure given that shall not be exceeded by that type of missile.

Metriation has been with us for over a quarter of a century, yet airgun power is still measured in “foot pounds” here – and many of those involved in the production or enforcement of this legislation have no idea what it represents – rather like newcomers to the sport of air gunning. We try to explain that it is the power required to project a one-pound weight some 12 feet into the air, or a 12-pound weight a foot into the air. To youngsters aged between 14 and 17 we have to explain it as a “half kilogram” weight being projected “about 3.5 metres” into the air. They understand this language slightly better, but still find difficulty in relating the concept to airgun power.

We would be pleased to discuss this with the commission, sub-committee or the Home Office as we feel there must be a simpler and more easily comprehensible and enforceable system that could be agreed and used.

As far as the laws pertaining to the ownership and use of airguns are concerned, we feel that no amendments to existing laws are necessary – merely a greater awareness of them, and more severe sentencing of convicted offenders than occurs at present.

From our experience many magistrates and Clerks to the Court are unaware of current maximum penalties and consequently many convicted offenders get light sentences.

Greater awareness of the laws pertaining to airgun ownership and use could be created by:

- Enclosing the list of offences and penalties with every gun sold.
- Having the same list clearly displayed in gun and fishing tackle shops that sell airguns.
- Allowing new airguns to be sold only by registered gun shops, fishing tackle shops or mail order dealers, eliminating those who sell them irresponsibly and indiscriminately on market stalls or car boot sales.
- Insisting that purchasers provide proof of identity, age and home address and requiring vendors to list these. This information could also be made mandatory for mail order dealers and made available on a monthly or quarterly basis to police forces.

BB Guns:

These items can vary in price from a few pounds to several hundreds of pounds.

Whilst there is no competitive class for these guns that fire 6 mm diameter plastic balls, we know that many shooters use these at “skirmishing” events. These are normally well-organised, safe events held indoors. These are mostly classed as “toys” having a power level shown on them of less than half a joule (which equates to 0.37 foot pounds), but as a result many youngsters are buying these, carrying them around – and with some taking them into their schools. Whilst these are not very powerful, a close range shot can bruise and sting for quite a while, and we are convinced that sooner or later a child somewhere, will lose an eye to one of these guns.

These are also exact replicas of many of the well-known handguns and are produced in black or metallic silver plastics, and from the point of view of an Armed Response Unit officer, indistinguishable from the real thing, even from a short distance of a few metres – or yards. We have been told that thoughtless people using these in

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inappropriate places, or ways, cause 80% of call outs of Armed Response Units. We feel that such people, when apprehended, should either be given a formal caution or charged with wasting police time. Some police forces are now using the charge of possession of an offensive weapon in a public place.

BB guns could be produced in coloured plastics such as bright yellow, green, blue, etc; which would make them more easily identifiable as the toys they are classed as, and an offence committed if they were to be painted to simulate a real gun.

Air Cartridge guns [currently being re-classified as Section 5 weapons.]

These are the Brocock guns, which have been available over the past twenty years; Using Home Office published figures we have been informed that some 70,000 of these airguns have been produced. 10% of these are rifles, 50% as historic replicas and 40% (some 28,000 hand guns) as modern replica revolvers. Of this last number, 80 have been recorded as being used in the commission of crimes and no figures are available as to what number of this 80 had (allegedly) been modified to fire centre-fire or rim-fire ammunition, or how many of these items had been used for multiple offences.

These are fine examples of the gunsmith's art and quality engineering and as such, do not come cheap. The re-useable brass cartridges cost approximately £6 each and the guns, depending on model and type, between £ 200 and £500+.

We are told that the "real thing" (i.e.; actual firearms) + ten rounds of live ammunition to fit the gun, can be acquired at pubs in Inner City areas, for around £80 to £100.

The Government's own figures show an increase in gun crime, despite the "knee jerk" legislation imposed on legally owned handguns, so it would appear that bans are unsuccessful and even counter-productive - and only affect the law abiding.

CO2 Pistols:

Again, these are mainly produced as replicas of modern automatic handguns. They have rotary magazines that hold 8 or 10 shots, and use CO2 capsules as a power source, which give around 40 to 50 shots at power levels of between 2 and 5 foot pounds, when loaded with normal airgun pellets. Yet again our sympathies are with the Armed Response Officers who are confronted by these.

On the continent they are now producing these guns with the bodies made of high-visibility, fluorescent or "Day-Glo" plastics in Yellow, Orange, Pink or Blue; legislation is under consideration to gaoil anyone caught in possession of one of these pistols that has been sprayed either black or metallic silver to simulate a "real" weapon.

The other types of CO2 or air pistols used for 6 yard or 10 metre indoor target shooting are, in most cases, unlikely to be mistaken by a police officer, or anyone with a passing acquaintanceship with guns, as anything but what they are - target pistols.

Air Rifles – single or multi-shot:

To the enthusiast, most airguns used in competitive outdoor shooting or pest control are easily identifiable by make, and in some cases, the actual model. To the non-enthusiast, they look to be "serious" guns – especially when fitted with large telescopic sights and in some cases, lengthened by sunshades.

Whether single or multi-shot, the power levels are the same and generally the pest control shooters prefer the multi-shot as this permits them quicker re-loading when shooting vermin.

These pre-charged air rifles are expensive to buy – as are the diving bottles and filling kits needed to charge them, and invariably an outfit of gun, 'scope, diver's bottle, filling kit and secure carrying case, will work out at around £1000+ – not a casual purchase. Most good quality sporting air rifles are of British design and manufacture, (a field of precision engineering in which our country still excels) with some excellent ones now being produced in Germany.

These guns are heavy and not at all easy to conceal and are invariably owned by the seriously competitive shooter. We believe the majority of airgun offences committed with air rifles appear to involve the use of cheap, poor quality Chinese imports which are sold at car boot sales or markets, invariably by people who have no interest in where, how, or by whom they will be used – and are only interested in selling them to make money. These rifles serve no useful purpose as they are far too inaccurate for target use or pest control and thus, we feel, an un-necessary burden on our import bills. They can also be hazardous, and a danger to the user, because of the low quality materials used. We also believe that because of the price of these items and where they are sold they are an "impulse" purchase, rather than a considered purchase after careful deliberation of where they are to be used and what they are to be used for.

As a responsible and active organisation, we also keep in close touch, wherever possible with retailers, manufacturers and importers of airguns. Many feel that airguns should only be sold through approved or registered dealers - people that actually have premises from which they retail goods; be they registered Firearms dealers, fishing tackle shops or large mail order companies.

They also feel that the sale of BB guns, replicas, blank firers or airguns at car boot sales, street markets or similar venues should be completely prohibited. Individuals selling their equipment, via the Internet, or at clubs, could still be permitted provided that they record to whom the equipment was sold.

Most retailers maintain that they would be happy to record the name, age and address of anyone they sold an airgun to, together with the gun's make, model, calibre and registration number, so that they were traceable, should a crime be committed in their area.

As an organisation, we are trying to promote the safe use of airguns, by encouraging awareness, education and training of individuals and clubs, and we run events in conjunction with schools, police forces, other shooting organisations and the general public, trying to increase the number of coaches in the country, encouraging the formation of clubs and educating people – young and old alike – to use airguns responsibly, safely, skilfully and sociably. We do this from our own resources, receiving little financial assistance from anyone.

Should the commission wish to question us further, we would be happy to send our Chairman and/or Secretary to answer any questions they might have.

EMBARGOED UNTIL 1500HRS 05/11/03

Submission from the office of the Mayor of London

Firearms in the Anti-Social Behaviour Bill 2003

*From Lee Jasper, Policy Director Equalities and Policing
On behalf of the Mayor of London Ken Livingstone*

Why the Bill matters to London

Anti-social behaviour seriously affects the everyday lives of many Londoners. It can contribute to fear of crime and people's perceptions of safety and security. It is often the most vulnerable Londoners who suffer the most from anti-social behaviour.

The measures contained in the Anti-Social Behaviour Bill cut across many of the areas for which the Mayor of London has statutory responsibility or else has identified as priority areas. How anti-social behaviour is responded to has serious implications for the Mayor of London's vision of London as a world city, which is prosperous, a city for people, a fair city and a green city. The content of the Bill is therefore of fundamental importance to the people of London and to the Mayor.

People in London care about anti-social behaviour. The Annual London Survey 2002, carried out on behalf of the Greater London Authority by MORI, found that 65 per cent of Londoners consider fear of crime to be a major problem and 50 per cent think that Safety/Crime should be a top priority to improve London as a place to live. Fears about public safety are a major barrier to Londoners' participation in a range of activities and events, particularly for women, older people and others who feel vulnerable and are likely to be the subject of harassment or attack, such as black and minority ethnic groups, those with disabilities, and lesbians and gay men.

Crack houses and other forms of anti-social behaviour associated with drug dealing are a serious problem in London. The Mayor has repeatedly argued to the Government that the assets recovered from London's drug dealers and criminals should be re-invested in the local communities that have to suffer the effects of anti-social behaviour. The Mayor will be submitting a proposal to the Government in the autumn for rebuilding the infrastructure and capacity of local communities who are damaged by crack houses and anti-social behaviour, funded through recovered assets.

In view of the significance of the Anti-Social Behaviour Bill, it is disappointing that there has been inadequate time for consultation. Only two weeks elapsed between the 'Respect and Responsibility' White Paper being published and the Bill being introduced before Parliament. The Government should have allowed greater time for consultation on such an important issue.

This briefing follows on from the original briefing circulated at the 2nd Reading of the Bill (8th April 2003) and focuses on the specific areas where the Mayor is seeking to achieve change within the legislation.

Anti Social Behaviour Bill
Part 6 Clause 42 Possession of air weapon or imitation firearm in public place

It is the Mayor's view that the proposals on firearms contained in the Anti Social Behaviour Bill do not go far enough. Of the gun related violent crime recorded in England and Wales approximately 34 per cent occurs in London. There should be a complete ban on the manufacture, importation and sale of replica guns as well as a total ban on possessing replica weapons, rather than just a ban on carrying them in a public place. Banning replica weapons will reduce the overall presence of firearms in our communities and can assist the Police in tackling those offenders who are armed with intent to cause fear and harm. There should be little need for debate on having a definition of a 'replica' firearm – if a product can be mistaken in any way as an offensive weapon it should be considered a replica and, therefore, be made illegal to manufacture.

Anti Social Behaviour Bill
Part 6 Clause 43 Air weapons: age limits

The Mayor is calling for a total ban on air weapons. Of the firearms seized by Operation Trident officers between January and September 2002, 72 per cent of weapons had been converted from an air weapon, blank firer or starter pistol. Death and serious injury makes the news but thousands of incidents result in minor injuries. These incidents can be traumatic for the victim and their family, especially if the victim is a child. The misuse of air guns and replica weapons incurs costs to the criminal justice system and the National Health Service. It contributes to rises in insurance premium costs to businesses at risk of firearm robberies e.g. bookmakers, pubs, banks and building societies.

A recognition that the role of the firearm is changing and possession of firearms, replica or not, has become a cultural issue that must be changed through education and backed up by legislation to enforce the message of eliminating gun crime.

Finally the Mayor would like to see Crime & Disorder Reduction Partnerships develop and implement plans to reduce misuse of air weapons and ensure these are incorporated into their respective Crime & Disorder Reduction Strategies.

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Attached is a short briefing paper providing detailed evidence to support the Mayor's position and to provide further contextual information.

Replica Guns – Real Fear

1. The Government's Anti-Social Behaviour Bill 2003 proposes to ban the carrying of air weapons and imitation or replica firearms in a public place as well as increase the age limit for owning an air gun from 14 to 17. A minimum 5-year sentence for the unlawful carriage or possession of a firearm is also being proposed and this is to be welcomed. Overall, whilst these proposals demonstrate the Government's acceptance of the need to tighten existing gun legislation, the proposed reforms do not go far enough to reflect and address the prevailing reality of gun crime in London in particular and indeed nationally. Rather, they represent a significant retreat from the Government's previous position and commitment to ban replica guns outright⁵¹. The Government has argued that a complete ban would be too complex to put into practice. Problems cited include defining when a toy gun becomes a replica gun, and ensuring the continued use of imitation weapons in theatre and films.

2. The Mayor of London believes that there is ample evidence, which shows that imitation firearms and air weapons are performing an important role in serious crime. The increasing availability of such 'life-like' weapons on the open market has led to their increased use in street robbery and violent confrontations. The range of people affected is much wider than just the victims themselves and includes not only the families, but also police officers and whole communities who live in fear of violence, intimidation of the actual or threatened use of these dangerous weapons. The continuing manufacture, importation and sale of replica firearms costs lives and therefore represents a clear and present danger to both the public and the police. The Mayor is calling on MPs to take a position against dangerous imitation firearms and air weapons by amending the Anti-Social Behaviour Bill:

- To create an offence that bans the importation, manufacture and sale of anything that has the appearance of a firearm and that is capable of being converted into a firearm.
- Requiring toy manufacturers to ensure that all toy guns are made from clear/translucent plastic.

3. On 13th November 2002, the London Assembly voted unanimously in favour of the following motion:

That this Assembly urges the Home Secretary to bring forward legislation to ban the production, distribution and use of imitation firearms, as it is often unclear to the police and bystanders whether the firearms are real or a replica. A ban would protect:

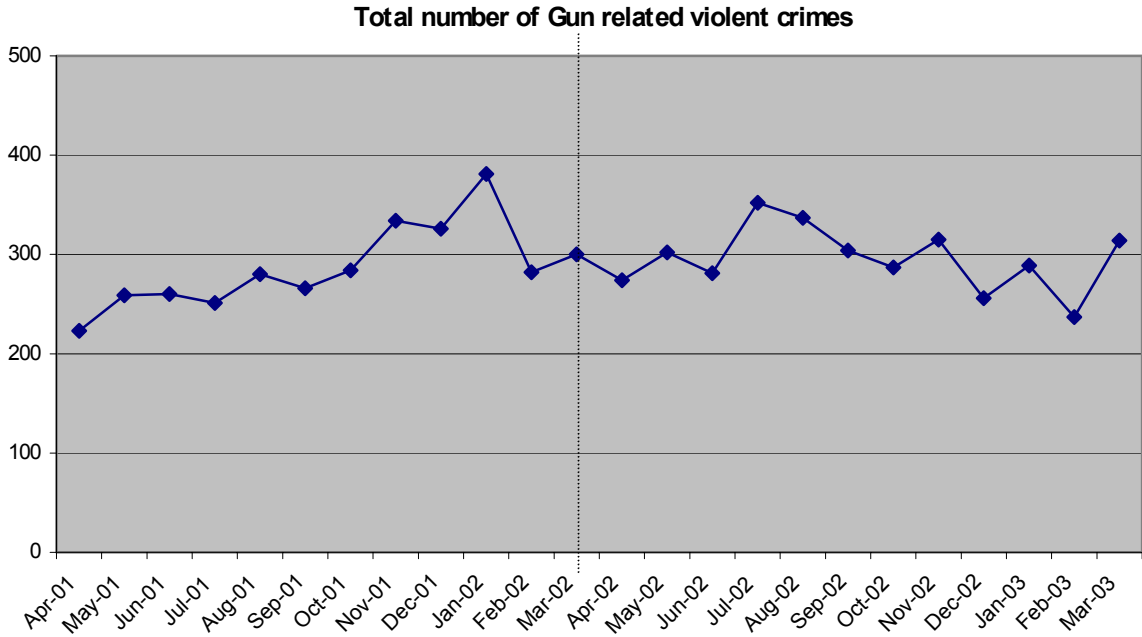
- a) Police officers who are called on to make a life or death decision often in a split second
- b) Londoners and innocent bystanders who fear crime and whose lives could be put at risk and
- c) Those who chose to carry replicas that look like lethal weapons.

The Mayor fully supports this motion and has written to the London Assembly to request that they extend their position to include air weapons and support his call for a complete ban on the manufacturing of replica guns and a total ban on possessing replica weapons. Leaders on the Assembly have replied with full support for the Mayor on his position.

Gun related crime in London

4. In 2001/2002, national levels of gun crime rose by 35%. This increase was reflected in London where gun crime rose by 37%. Approximately 34% of all recorded incidences of gun-related crime in England and Wales occur in London. Last year, between April 2002 and March 2003 there were 3,547 gun-related incidents, an average of 295 offences per month. Of these 36 were murders, 150 Grievous Bodily Harm and 276 Actual Bodily Harm offences.

⁵¹ In March 2001, then Home Office minister Charles Clarke, pledged to bring about a ban after 29-year-old Derek Bennett was shot dead by police in Brixton as he held a gun-shaped cigarette lighter.



5. An analysis of guns recovered by the Metropolitan Police Service (MPS) under Operation Trident⁵² shows that the availability of real firearms is relatively low. The majority of weapons recovered (approximately 70%) have in fact been replica weapons - such as air pistols or starting pistols - that have been converted, modified or upgraded to fire a bullet rather than pellet type rounds. The Government's proposed reforms does not recognise or address the changing role of firearms – both real and replica – which has become part of an emerging culture where firearms are carried on a regular basis and resorted to when the carriers find themselves involved in a dispute, even of a minor nature. In London, it is estimated that between 11-20% of shootings investigated by Operation Trident are 'Respect' shootings, which could have been prevented if adequate legislation were put in place.

5.1 The following Table A provides a breakdown of the weapons seized by Operation Trident officers⁵³ between January and September 2002:

Table A

	%
Conversions	72
Real Firearms	16
Imitations	9
Unknown	3

5.2 The following Table B provides a more detailed analysis and breakdown of the converted weapons identified in Table A:

Table B

	%
Air Weapon Conversions (inc. Brococks)	19
Starting Pistols	10
Reactivated	8
Blank Firers/ Replica Firearms	56
Other Air Weapons	7

Making a Killing – The economic value of the replica firearms market

6. The National Crime Intelligence Service (NCIS) has observed that since 1999, the replica

⁵² Operation Trident was established by the Metropolitan Police Service to develop and implement effective policing and community strategies to combat violent crime within London's black communities. Trident is a fully established Operational Command Unit (OCU) within the MPS Serious Crime Group. Trident related gun crime accounts for 65% of all gun crime in London. These statistics relate to incidents where a firearm has been discharged.

⁵³ Source: Metropolitan Police Service.

firearms market in the UK has doubled in value and is now estimated to be worth almost £10 million⁵⁴. No research has, as yet quantified the cost of the replica guns market on the Criminal Justice System and the National Health Service, which bears the burden of the end result of the use of these dangerous weapons. Of particular concern is the fact that a system of certification controlling the possession of blank airguns does not exist whilst convertible replica weapons are freely available in toyshops, army surplus stores, fishing tackle shops, car boot sales, market stalls, sports shops, by mail order and from the internet. For example, the retailer, WH Smith, sell a number of magazines that contain adverts for legal air guns.

7. The legally available Brocock air cartridge revolver is another salient example. Used in an increasing number of Trident shootings, the Brocock can be purchased for approximately £300. When converted, it becomes an illegal revolver with a five or six shot powder cartridge. It is widely accepted by the Association of Chief Police Officers, the Forensic Science Service, the Gun Trade Association and the Home Office that Brococks can be readily converted but, because they are outside the scope and definition of 'imitation firearms' as laid out in section 1 of the Firearms Act 1982 the Act cannot be used to control imports and sales. Further, whilst it is accepted that Brococks have agreed a voluntary ban, given that they are the importer and not the manufacturer, it would not prevent another company importing these 'air cartridge system' revolvers direct from the manufacturers in Italy and Germany.

8. NCIS has commented that the apparent increase in the possession and use of reactivated, converted and replica firearms, might suggest that there are too few genuine firearms in the UK to satisfy criminal demand. Alternatively, criminals may be encouraged to look for alternatives to genuine firearms for reasons of cost, lack of suitable contacts or because of the risks. Research conducted between August and October 2000 by the University of Durham into the increasing use of ever more sophisticated replica firearms in criminal incidents in Britain, found that weapons manufacturers had responded to the challenge imposed by the 1997 Firearms (Amendment) Act, which banned the private ownership of handguns, by nurturing a new market in replica firearms through aggressive marketing to existing and developing customer bases. The value of imports of these weapons, which involve an impressive level of detail to resemble well-known models, increased by some 92% between 1997 and 1999. Firearm manufacturers based in the United States, Germany, Sweden and Spain command approximately 80% of this UK market.

Replica Firearms – What are other countries doing?

9. In the United States, Los Angeles became the first US city to outlaw the manufacture and sale of replica guns after the deaths of a number of youths who were shot by police officers who mistook replicas for real weapons. Other states in the US that have comprehensive laws regarding the design, sale, distribution and ownership of replica firearms include Connecticut, Kansas, New Jersey and Wisconsin. Other countries have also taken steps to regulate the replica firearms market:

- In Australia, a licence is required for blank firing guns used for film and theatre.
- In Japan the sale of imitation guns is banned.
- In Malaysia, imitation firearms are subject to licensing.
- In the Netherlands, replica firearms that can be used to frighten people are banned.
- In Sweden, possession of a deactivated gun without a licence is prohibited.
- In France, blank firing replicas must be licensed.

10. The UK has some of the toughest gun laws in the world, but not in relation to imitation and replica weapons. This group is urged to take a stand and use this all-party group to properly address the dangers that the unregulated market in replica firearms poses for the police the communities they serve.

⁵⁴ National Crime Intelligence Service (NCIS) UK Threat Assessment 2002

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