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AUSTRALIAN SHOOTERS JOURNAL

The political voice of the SSAA

**Britain's
HANDGUN
BAN**



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The political voice of the SSAA

Editorial policy: to create a better environment and community understanding of all forms of hunting and shooting sports.

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A word from the President

The recent review of the New South Wales Firearms Act has resulted in a weighty discussion paper being put forward by the state's Director General of the Ministry for Police. NSW shooters have been looking forward to the review in the hope that some amendments might be made to the legislation introduced back in 1996. Sadly, however, none of the recommendations will significantly improve the current situation. In fact, if the Director General's recommendations are adopted, some NSW firearm owners will be worse off than they were before.

Among the points up for consideration is a recommendation that approved pistol clubs be required to affiliate with a pistol organisation which is itself affiliated with Pistol Australia and that transitional provisions be provided to facilitate the smooth implementation of the change. This would of course mean that all pistol clubs in NSW would have to affiliate with the New South Wales Amateur Pistol Association.

If implemented, the recommendations would be a major step backwards. Before 1996, Pistol Australia had a virtual monopoly on the licensing of handguns in NSW through its local affiliate, the NSW Amateur Pistol Association (APA). Following the changes to the legislation a much broader range of shooting organisations, including the SSAA, have been able to offer support to the state's pistol enthusiasts.

Why the decision to hand the APA monopoly control of pistol shooting? Perhaps it is related to the APA's own submission to the Director General, wherein they argued that removing the forced affiliation requirement supposedly heightens the risk to safety - "In summary, we have grave concerns about the level of safety and competence of members of clubs not affiliated with this Association."

The fact is the SSAA is the largest shooting organisation in Australia, with more than 120,000 members spread across 190 clubs. The organisation administers 16 different shooting disciplines, including nine competitions shot at the local, national and international level

involving handguns. The Association maintains a cadre of accredited safety instructors and coaches and is intimately involved with the design and delivery of safety programs in a number of states, including handgun specific courses. In this respect, it is at least the equal of Pistol Australia and the NSW APA in both expertise and experience.

SSAA pistol shooters in NSW do not need, nor do they deserve, the extra impost that would flow from being compelled to affiliate with another body. Moreover, if adopted, the recommendation would place NSW at odds with the rest of the country, inasmuch as every other jurisdiction acknowledges that the SSAA is quite capable of administering handgun-based shooting sports.

The SSAA strongly opposes the Director General's recommendation that NSW pistol shooters must be affiliated with Pistol Australia and the NSW APA. In fact, the SSAA opposes any legislation that makes membership of any particular organisation mandatory even if under the guise of improving 'public safety'. After all, what if the Director General should decide that all rifle shooters must belong to the Australian National Rifle Association or shotgun shooters belong to the Australian Clay Target Association? Could this be the beginning of a clever tactic to reduce the membership and strength of the SSAA?

The SSAA NSW has forwarded its position on the issue to the Director General and we will be keeping members up to date as things develop.

A handwritten signature in black ink that reads "Bill Shelton". The signature is written in a cursive, slightly slanted style.

Bill Shelton
National President



Abusing Government Resources

The misuse of government resources by the anti-gun lobby is nothing new. Activists in the health industry, welfare sector and academia have been channeling taxpayer's funds into private campaigns against gun ownership for years. Often the expenditure gets passed off as official 'research'. The fact that the same people carrying out the studies happen to be card carrying members of the anti-gun movement usually goes unreported. Every now and then however, some of them get caught blatantly abusing their positions.

The following South Australian House of Assembly Hansard extract from April details not one, but two cases where serious questions have been raised concerning the misuse of public resources in support of the anti-gun movement's agenda.

(The Hon. Peter Lewis MHA, is the Liberal Member for the South Australian State electorate of Hammond).

13 April 2000

Mr Lewis (Hammond): I am increasingly disturbed by the number of instances occurring these days of agencies of government, in particular, but not excluding employers generally

having their services and their materials used by people working for them without authorisation from that employer, whether a government agency or a private sector employee, to pursue a political agenda of their own liking and their own choosing. Whether or not it is during work time is beside the point; the fact remains in my judgment that it is wrong, especially if government agencies are involved.

It is even worse when state government funds are then used to defend what turns out to be miscreant activities undertaken by such people. Let me illustrate the point. In February 1999, a group of firearm associations, including Paintball SA, produced a book which gave their responses to the Hon. Ian Gilfillan's Firearms Act Amendment Bill. As part of that book, Paintball SA gave a list of those business houses which had used paintball facilities as a recreational pastime for their employees. I do not mind whether or not people wish to use paintball. That is not the point.

I come to that point now. On 14 March the office of Gun Control Coalition in South Australia, under the signature of its chair, Ms Elizabeth King, sent a letter to several business houses stating that their name had been used by what she called the 'gun lobby' to promote the fight against Mr Gilfillan's proposed legis-

Serious questions have been raised concerning the misuse of public resources in support of the anti-gun movement's agenda.



by Paul Peake

lation. On 30 April 1999, Kelly & Co., acting for Paintball SA, sent a letter to Ms King at the Gun Control Coalition. However, on 10 May a letter was received from the Department of Human Services stating that a Ms Kylie Schulz (who is a solicitor working in the legal services branch of the Department of Human Services) would be handling the matter on behalf of Ms King.

On 1 June a letter was received from Kylie Schulz from the Crown Solicitor's Office within the Department of Human Services stating that she represented Injury Prevention SA Inc. which was not involved. The original letter is written under the letterhead of 'Gun Control Coalition', not 'Injury Prevention SA Inc'. On 29 July 1999 a letter was received from Ms Schulz and signed under the name of 'Crown Solicitor' stating consideration of an apology being given by Ms King. On 4 August a compromise was reached between Kelly & Co. and the Crown Solicitor's Office concerning a letter that was to be sent to all business houses which had received Ms King's original letter, expressing clarification of the use of the business names in Ms King's original Gun Control Coalition letter. I have copies of those letters. I also have copies of the letters sent by Ms King in response to the letter she received from

Kelly & Co.

I want to know who authorised the use of the Crown Solicitor's Office to represent the Gun Control Coalition. Have any government funds been given to support the Gun Control Coalition in any way? Why does the Crown Solicitor's Office represent the Gun Control Coalition? On how many other occasions has the Crown Solicitor's Office given advice to the Gun Control Coalition and, if so, for what fee or consideration? Why did Ms King's supervisor not stop this outrageous misuse of taxpayers' funds? What will the minister do to stop further misuse of taxpayers' money? Those questions are very pertinent. Government has no part whatsoever in the Gun Control Coalition. Yet the Gun Control Coalition has had free legal advice and representation from the Crown Solicitor's Office at taxpayers' expenses for its own foolish actions.

Another matter to which I drew attention just recently illustrates the same point. That was the instance of Ms Parsons, working for Burnside council, on Thursday 30 December 1999 at 12.31 a.m. sending out an e-mail to several business houses. That e-mail, which Ms Parsons admits she wrote, states:

It has come to my attention that your company is directing advertising towards a sport-

ing shooters organisation. I have ethical concerns with such a group and, accordingly, when our field staff [meaning Burnside City Council] need to renew batteries (and this e-mail was addressed to the 'Batterybloke' on Prospect Road in SA) I will make a point of not dealing with your company.

If that is not using threats and menaces, I do not know what is. It continues:

I ask you to reconsider the ethical implications attached to advertising indiscriminately.

I ask her to do the same.

[Time expired.]

We are waiting for more information on the use of the South Australian Crown Solicitor's Office to aid and abet the Gun Control Coalition. In the meantime, however, SSAA members might like to write to the City of Burnside and ask what steps have been put in place to ensure that employees do not misuse their positions in the future.

Write to:
Mayor Wendy Greiner
City of Burnside
PO Box 9
Glenside SA 5065



Keith Tidswell
Executive Director
Public Relations and
International Affairs

At the international level there are a number of important events, some of which Australian Government officials or shooting sport representatives are attending, that are bound to have an effect on the firearm community's future. These events include:

- The 2001 Conference on small arms trafficking. A preparatory meeting for the Conference was held in New York February 28 - March 3, 2000.

Progress was slow at this meeting and another preparatory meeting may be held in January 2001. The 2001 Conference itself may be held in Geneva or New York.

- A Workshop on Marking and Tracing of Small Arms and Light Weapons in Brussels, Belgium March 20-21, 2000. This event was organised by NATO.

- The Eminent Persons Group (EPG) that met in Washington May 2-4, 2000 with the objective to advance elements of a comprehensive Plan of Action for the UN conference on small arms trafficking in all its aspects. This group "with its global scope and reach, seeks to increase transparency, accountability and common standards in relation to the production and transfer of small arms and light weapons".

- The UN Group of Experts that met in New York from May 15-19, 2000 to look at preparing a study on the "Feasibility of Restricting the Manufacture and Trade of Small Arms and Light Weapons to the Manufacturers and Dealers Authorized by States, which will cover the Brokering Activities Particularly Illicit Activities, relating to Small Arms and Light Weapons, Including Transport Agents and Financial Transactions."

- The World Forum on the Future of Sports Shooting Activities (WFSA) sought recognition as a Non Government Organisation (NGO) before the NGO Committee of the Economic and Social Council (ECOSOC) in June 2000. The SSAA is a founding member of the WFSA.

The Safari Club International will also be seeking recognition as an NGO this year and obviously would have a great deal to contribute to matters relating to wildlife, hunting, conservation, education and economic opportunities for people in many parts of the world.

- The WFSA International Workshop on Marking Codes in

the Context of Trans National Organized Crime was held in Sardinia, Italy from June 22-24, 2000. This meeting focused on the technical aspects regarding standards of marking firearms and an agreed set of alphanumeric codes. What has to be kept in mind is that the prime purpose behind marking is to allow tracing and to assist in trying to keep firearms out of the hands of organised criminals. For these efforts to be successful there has to be an impact on organised crime.

The Sardinia workshop followed a number of earlier workshops held by the WFSA for collectors and industry to try and ensure input into the processes of the convention and protocol so that firearm sports', collectors' and hunters' views are taken into account while still keeping the focus of these protocols on the organised criminal element. Reports on these meetings have been presented to the Ad Hoc Committee on the Elaboration of a Convention against Trans National Organized Crime in Vienna, Austria.

Hopefully, the input of hunting and competitive sporting groups and firearm and ammunition manufacturers at these meetings will ensure successful outcomes.

Some of the matters addressed at these meetings are technically difficult to understand - and are even more so for those individuals involved who are not shooters (ie, lawyers, bankers). Even the things that you and I take for granted, such as the difference between the terminology 'bullet' and 'cartridge' can cause tremendous difficulty.

Discussions have been taking place at the UN about the marking of cartridge cases for the purpose of identification. This is because there are some manufacturers that have produced products without markings, which makes it difficult for tracing purposes. The term 'unique identifier' has been used at a number of meetings and due to translation complications, some people thought that what was being discussed was the individual marking of each projectile with a serial number. Imagine doing that with your number 7 shot competition loads.

The confusion brought about by lack of knowledge of the industry terminology and the language barriers can be rectified by simply providing translators with a diagram showing the terminology for each component of a cartridge - a solution that is currently in the works. ●



over the

HILL

by Pino Saccaro

As a youth, Dad's only 'horse power' was a mule. In a town without tractors, the mule provided a livelihood. Without a mule, you were truly a peasant. "We didn't mind sharing a stable with its peculiar smells of hay, manure and quadruped. It was a comforting smell," Dad said.

Dad left school when he was only nine. Italy was an impoverished land and he toiled in the hot sun. His one passion was for hunting. Together with his dogs and his gun, hunting provided an escape from the rigours of the day.

Later he acquired a Lambretta motor scooter but needed to sell it to pay for his passage to Australia. The first thing he sent for on arrival was his shotgun. My father has owned a shotgun nearly all his life. He used to hunt rabbits but hasn't done so in the past couple of years. At 75 years of age, driving long distances tires him.

When he first migrated here, a friend helped him fix an old bicycle. Together they would pedal hours in darkness loaded up with their ferrets and guns. On their return they would be even more laden, with perhaps a dozen rabbits.

In Italy, it might take a week to track a rabbit or a hare but here, the rabbits were everywhere. Admiring Dad's proficiency, I would hold back the legs as he gutted and skinned the rabbits.

As suburbia sprawled and farms were overtaken by building blocks, places to hunt rabbit became increasingly distant. His hobby became less frequent. Eventually he applied for his driver's licence. In those days the road rules test needed to be undertaken in English.

Like most lowly educated migrants, Dad went into a job with low English requirements. He did not really achieve an adequate command of the language and is reli-

ant on me for most of his paperwork. I coached him for weeks so that he could understand and correctly answer the questions. His determination was terrific.

He phoned home on the day he went for the test. He sounded disappointed. The question about turning right from the left lane had stumped him. My heart sank. We had gone over that 100 times. When he arrived home that night all was quiet. "What does this mean?" he said pulling out a piece of paper from his pocket. He smiled as I read out "driver's licence".

The obligatory bingle is a right of passage for new drivers. Within the first week he crashed the HR Holden into our letterbox. Soon, however, he was confident and would drive hours in search of rabbits.

There has been a suggestion that older drivers, like ageing sports cars, don't know when to quit. Age has an affect on many of our physical faculties. Eyesight, reflexes and hearing can diminish. Impairment, however, has no age barrier. An 18-year-old may require corrective lenses. What is more important than chronological years and impairment is attitude.

Dad restricts himself with self-imposed regulations. He will not drive at night and he avoids the city. If he is going to a new place, he studies the street directory a week before. Many a wedding reception he has attended twice with a pre run as an orientation in non-peak times.

He goes to the shops, to the doctor, to his pensioner social club and to visit friends. You could throw a blanket over his travelling distances.

When he visits and starts to fidget I know he is keen to head home. It is getting dark. He gives me three rings when he reaches home safely.

They are a part of the responsible generation, the savers, the ones with the social

obligations who worked hard for their families and fought in a war. They are the ones who talk to their neighbours.

They are not part of the aggressive, frustrated, alienated part of the 'lost' generation committing road rage. Old drivers do make mistakes. They are human as anyone. Insurance companies offer them discounts for their 'terrible' records.

Road 'age' has been overestimated. Everyone needs a regular medical. The aged do not need to feel guilty. By targeting elderly drivers, we are shaming them off the roads and into their homes.

Recently Dad reapplied for his shooter's licence. Under the new gun laws, possession and use of a firearm are increasingly difficult. The anxiety he faced when his shooter's licence application was rejected on a technicality was frightening. His already elevated blood pressure increased further and he had trouble sleeping. He was shocked when I suggested that he might have to return his shotgun to the police station.

Being in favour of tougher gun laws I asked, "Why do you need a gun?" I had forgotten that to own a gun was a part of his soul.

Dad is a gentle man. He deplores violence. Yet he feels it is his right to own a gun. He still has an old-fashioned notion that he would defend Mum if an intruder should break in. The fact that by the time he assembled the gun it would be too late has not entered his consciousness.

Eventually we sorted out the mistake on the application and Dad was reissued his shooter's licence. He is at peace. For the next five years he will have a licence.

In all probability he will never shoot another rabbit but he has won his right to own a gun.

When the time is right, he will know when he is too old to drive a car. ●

BRITAIN'S handgun

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by Colin Greenwood

Criminals carry on with their lawless ways, robbing and killing, but responsible citizens may not take part in competitive pistol shooting.

The 1997 ban on handguns in Britain is being seen by politicians and anti-gun groups worldwide as a goal. Australian anti-gunners, not satisfied with the ban on self-loading rifles (all but .22 self-loading rifles were banned in Britain ten years ago) will now be demanding a ban on all handguns.

It would be tempting to go into detail about the history of gun control in Britain, starting with the right to keep arms which existed into the 20th century, but in this article we must concentrate our minds on how the handgun ban came into being and what effect it has had.

By the early 1990s the situation in Britain was that the legal ownership of any rifle or pistol required a 'firearm certificate' issued by one of the 43 chief constables in England and Wales and eight in Scotland. Different laws apply in Northern Ireland and some of the British islands. There is no ban in Northern Ireland, the Isle of Man or in the Channel Islands. The Home Office and Scottish Office together issue guidance on the application of firearm laws that police follow when and as it suits them.

Effectively the position about pistols was that before granting a certificate, police were required to check that the person was a full member of an approved club and had served a probationary period of three months during which time he had shot under supervision. They also needed to check that the club used a range approved for the class of pistol. If a person wanted more than one pistol and particularly if he wanted more than one pistol of the same type and calibre, police were required to ensure that he was a serious competitive shooter and really required those additional firearms.

There had been clear statements from chief constables that their objective was to reduce the private ownership of firearms to the absolute minimum and between 1968 and 1996 they had reduced the already very small number of certificates by no less than 32 per cent. Despite that, handgun shooting thrived in its restricted fashion.

Few will need to be reminded of the events of March 13, 1996 when Thomas Hamilton walked into a primary school in Dunblane with three licensed centrefire pistols and shot dead 16 small children and one of their

teachers. He wounded ten other children and three adults before killing himself. It was the sort of event that is hard to come to terms with even after the passage of years.

The initial reaction in Parliament was restrained. The responsible Minister, David MacLean, asked politicians to wait for the facts before they jumped to conclusions about what should be done. It was quickly announced that a public inquiry under a senior Scottish Judge, Lord Cullen, would investigate the tragedy.

Media hysteria rose rapidly and there was no prospect of a fair debate. Anyone defending the right to use pistols was branded a child killer and there was a concerted media campaign to ban handguns in particular and all guns in some instances. In the meantime, the Parliamentary Home Affairs Committee decided to conduct its own inquiry into handguns. It tried to cut across the Cullen Inquiry into the tragedy but heard evidence from many sources. A majority decided that there should be no ban on handguns but the Labour group voted for a minority report calling for such a ban. The media attacked the Conservative majority for daring to oppose a ban on

handguns and the level of hysteria rose.

Lord Cullen's report was ready for presentation just at the time when the political parties were holding their last party conferences before the 1997 general election. The report was supposedly withheld by agreement among the major parties until after the party conferences to avoid it from becoming a political football. There appeared to be an agreement not to use the tragedy for political gain and the Conservatives did not debate it, but the Labour Party, desperate to win power after long years in opposition, invited one of the main anti-gun campaigners onto their platform and from that moment on, the question of handguns was a political issue in the run-up to an election. Labour gave an undertaking to ban all handguns but the Conservatives kept their counsel.

It is now clear that the Conservatives had decided not to ban any handguns but to impose further restrictions, including a requirement to store them at club ranges. The Government called a confidential press briefing on October 15 and told selected journalists what was to happen. The major daily newspapers all carried the same story on October 16 - no handgun ban, but there was a cabinet meeting on the morning of October 16 at which, after a threat from the Scottish Secretary to resign on this issue immediately before an election, there was a reversal of policy and it was decided to ban all but smallbore handguns and to require the latter to be stored on ranges.

The Cullen Report was presented to Parliament at 3:30pm on October 16, 1996 and within a few minutes the Government announced its proposal to ban centrefire handguns. There was no opportunity to consider or debate the Cullen Report, which was then sidelined.

The ban was rushed through Parliament by limiting the debating time allowed (the guillotine as it is usually called) and by ensuring that the Committee of MPs who would consider parts of the Bill contained no-one able to speak for gun owners. Labour came to power in the 1997 election with a substantial majority and one of its first actions was to extend the ban on handguns to cover smallbore guns.

The ban on handguns had nothing to do with public safety; it was a response to media hysteria and political machinations linked with the view of many politicians that there were votes in it.

Legitimate owners had to hand in their centrefire handguns by September 30, 1997 and their smallbore pistols by the end of February 1998. A flawed compensation scheme was later the subject of serious criticism from the National Audit Commission. More

than 162,000 handguns and 700 tonnes of ammunition were surrendered and a total compensation bill in the order of £90 million. The final total cannot be given because two and a half years later some claims have not been settled.

The compensation bill is only a tiny part of the real cost. Several hundred police officers were employed full-time for four months and small numbers for much longer. The Home Office had to set up a large and specially staffed department to deal with compensation claims. Surrendered guns, ammunition and equipment had to be stored, shipped and later destroyed. The total bill cannot be less than one billion pounds sterling. A sport and an industry valued at some £60 million per year has been destroyed.

Because of the way the Cullen Report was sidelined, it received little attention but evidence came to light that called into question parts of the report itself and the manner in which it was conducted. Cullen had questioned the final police decision to renew Hamilton's certificate in spite of reservations about his mental suitability. In the course of his inquiry, Lord Cullen used Central Scotland Police (the force concerned) to make all the inquiries and a senior officer from another force to check on firearms licensing matters, but it was later revealed by a Scottish newspaper that when Hamilton applied for his first certificate, he had not been a member of the club he named and, in any event, that club was not approved for full-bore pistols. Further inquiry indicates that the police failed to check Hamilton's applications during a period of almost 20 years and that Hamilton had lied time and again

about his membership of clubs and the nature of the clubs of which he claimed to be a member.

The single incident that Lord Cullen picked out for investigation was perhaps the least important in the catalogue of transactions between the killer and the police and the police failed to investigate any of them correctly. How could a senior judge fail to note the lack of inquiry into this man? How, in quoting Home Office guidance on related matters in a precise and detailed report, could he fail to note the requirement to be a full member of an appropriate club? How could he dismiss those questions by saying that at the time of one renewal, Hamilton was probably a member of one club and perhaps a member of another when in fact neither of the clubs would have qualified him to possess the centrefire pistols he used?

The Government has steadfastly refused to look at this evidence despite its having been made public. The facts seem to be that the killer should never have been licensed to own firearms and, despite ample evidence, the facts were not made known in a judicial inquiry.

And what is the benefit to the community of what has been done? Home Office figures show the extent of the use of shotguns, sawn-off shotguns and pistols in homicide. The total includes rifles and miscellaneous firearms not shown separately in the table.

Firearms were used in only 6.5 per cent of homicides in 1998 and that figure is fairly typical, but within that figure we can see a marked change from the use of shotguns to pistols and the ban on handguns in late 1997 has had no affect at all.

Homicides in which certain firearms were used - England and Wales

Year	Total Firearms	Shotguns	Sawn-off shotguns	Pistols
1980	24	11	1	8
1981	34	21	-	11
1982	46	28	7	9
1983	42	27	5	8
1984	67	34	7	21
1985	45	22	7	8
1986	51	31	6	10
1987	77	33	10	10
1988	36	19	8	7
1989	45	19	7	13
1990	60	25	8	22
1991	55	25	7	19
1992	56	20	5	28
1993	74	29	10	35
1994	66	22	14	25
1995	70	18	10	39
1996	49	9	8	30
1997	59	12	4	39
1998	49	4	7	32

BRITAIN'S HANDGUN BAN

Only after considerable pressure did the Home Office attempt research to show the extent to which legally held firearms were used in homicide. The latest figures cover a six-year period from 1992 to 1998.

The use of legally held firearms is almost entirely limited to those domestic and argument situations in which it is clear that if a firearm was not available, some other weapon would have been substituted but even in domestic homicide, illegally held guns are used far more often than legally held guns.

We can take the matter further by looking at the use of guns in robbery:

Firearms used		
Circumstances of homicide	Legally held	Not legally held
Organised crime, drug related, contract killing, etc	None	75
Domestic	28	62
Robbery or gain	2	33
Argument, jealousy, revenge	6	24
Other	9	24
Total	45	243

Robberies in which certain firearms were used - England and Wales

Year	Total Firearms	Shotguns	Sawn-off shotguns	Pistols
1980	1149	127	181	529
1981	1893	262	292	1001
1982	2560	364	372	1440
1983	1957	269	342	1011
1984	2098	216	378	1106
1985	2539	282	399	1221
1986	2651	256	471	1196
1987	2831	280	450	1374
1988	2688	241	451	1321
1989	3390	280	524	1772
1990	3939	280	448	2233
1991	5296	381	650	2988
1992	5827	406	602	3544
1993	5918	437	593	3605
1994	4104	274	373	2390
1995	3963	235	281	2478
1996	3617	224	232	2316
1997	3029	121	178	1854
1998	2973	138	193	1814

The use of all firearms in robbery began to fall after a peak in 1993. The reason has been accepted by the Home Office for a number of years. In 1993 the crime squads, a national unit intent to combat major crime, began to target robbers known to use firearms. In a novel approach for the police in this country, they decided that the way to deal with armed crime was to arrest criminals. It is a process of logic that has not extended beyond that one unit, but it has produced the only reduction in armed crime ever experienced in this country.

The reduction from 1994 cannot be attributed to the ban on handguns that, as the figures show, had no discernible affect. Pistols are used in homicide eight times more often than the much more common and less rigidly controlled shotguns. They are used in robbery 13 times more often than shotguns.

If proof was needed of the truth of the

old adage, 'when guns are outlawed, only outlaws will have guns', here it is. Criminals carry on with their lawless ways, robbing and killing, but responsible citizens may not take part in competitive pistol shooting.

Of course, the Home Office has had plenty of time to think up its response. We are now told that they never intended the ban on handguns to have any effect on these classes of crime. Its sole purpose was to prevent further single-incident mass killings. Clearly, we have politicians who believe that if there are no handguns, mass killings with rifles, shotguns, petrol or other means will never occur.

The most serious casualty of all has been democracy. What the politicians did in 1997 demonstrates that nothing is safe from panic legislation designed only to capture votes. Handguns in 1997 but what next? ●

Clearly, we have politicians who believe that if there are no handguns, mass killings with rifles, shotguns, petrol or other means will never occur.



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The essential hurdles to firearm ownership

by John Schuttloffel

As SSAA National Discipline chairman for the Military/Service Rifle Discipline and a SSAA Legislation Officer during the gun law reforms, I have been variously confronted with the daunting task of negotiating a way through the firearm possession minefield of legal protocols. No doubt we have all heard stories of alleged excess and sometimes abuse of police powers in granting or otherwise of 'Permits to Acquire' a firearm and the associated registration of the same. Furthermore, the situation is arising in some states where police are now beginning to question ownership of firearms of the same type and calibre, in essence, policing the numbers by type of firearms one might seek to possess.

I am persuaded that there is an understandable lack of knowledge on the part of many shooters concerning the application of the new laws regarding firearm ownership. I hope that this article might provide an awareness of the in-principle state laws in relation to this vexed issue. In pursuing the subject, it serves a useful purpose to understand the philosophical basis of the present firearm laws. We are all well aware of the genesis of our present legislation centred on the 'Howard Gun Law reforms', arising out of the Port Arthur incident. There can be no doubt that the thrust of the various legislations arising were philosophical and anti-gun in nature and had a primary aim of reducing firearm ownership in Australia.

I recall quite clearly, a line of text from the foundation paper that preceded the glum-faced assembly of state police ministers appearing on national TV with Prime Minister Howard to announce the new gun reforms. Among a raft of other principles, the philosophical foundation paper stated the need to introduce "measures that would preclude the amassing of private arsenals". One can presume from this statement and the emotion arising from the horror of the previous Tasmanian massacre, that the intent was to reduce significantly the ownership by the public of firearms. Some

would go further and say 'the covert aim was to disarm the civil population of this country'. Moreover, that there must have been a belief by John Howard and his advisors that there was a realm of private ownership of firearms that they typified as 'arsenals' of firearms. Note the word 'private' preceding arsenals in the quote.

Well, what about this term 'arsenal' and what application has it to the issue? The Macquarie dictionary defines the word as "place for keeping or making arms and military stores of all kinds". As a military firearm target shooter, I guess by definition I have an arsenal. I possess military firearms, I refurbish old military rifles and I assemble my own ammunition for these military firearms for target shooting. There is something incongruous then with the philosophical foundation of our new laws in-so-far as precluding 'private' arsenals. We do have arsenals by definition but it is drawing a long bow to suggest that firearm owners have an unlawful criminal or military aim for their firearms and ammunition. Furthermore, to endeavour to draw some perverse relationship to illegal uses, militias and the like by the use of the term 'private' before the word arsenal. For myself, I much prefer the term 'collection' because clearly that is what we have.

The legislative manner in which the 'amassing of arsenals preclusion' was implemented, was by imposition of several in-principle sections of law found in most state firearm legislations. The fundamental issue in question is firstly 'genuine reason' to have a licence, thence firearm possession with registration of each firearm and secondly, 'special need' to possess certain classes of firearms. Most legislation contains a table of 'genuine reasons' for possession. Usually associated is a section of law that will specify that 'personal protection' and general 'protection of property' do not constitute a 'genuine reason' to possess a firearm. Typical 'genuine reasons' are:

- Sport/Target shooting
- Recreational hunting/vermin control
- Firearms collection

- Primary production
- Vertebrate pest animal control
- Business or employment
- Occupational requirements relating to rural purposes
- Animal welfare
- Composite entity

In a general sense, the bulk of shooters would be covered by the first three reasons. The others relate more to occupations. Most police registries accept that 'genuine reason' is met by membership of an approved shooting club. For hunters, a letter of permission by a landowner to hunt on property suffices for 'genuine reason'. Hunters may also be members of shooting clubs and in common with other all-sporting shooters, have more than one 'genuine reason'. Where the problem of possession of certain firearms arises, is in proving a 'special need'.

State laws invariably seek a 'special need' to possess certain categories of firearm in addition to 'genuine reason'. In simple terms, those firearms to which 'special need' applies are centrefire rifles, all pistols and self-loading rifles and shotguns and pump action shotguns. In negotiating a position for shooters regarding 'special need', it was quickly obvious that the authorities had no real practical recipe for 'special need'. The Australian Police Ministers Conference (APMC) had imposed the requirement, albeit as a philosophical requirement that had to be translated into law - a law that could be both applied and policed.

Some state legislation also applies a requirement that shooters provide 'prescribed evidence' of their 'special need' to possess a certain firearm. This means that an associated legal regulation specifies the type of evidence required. 'Evidence' in itself suggests that a potential registrant must have some form of written evidence. A typical example of a potential registration scenario is the situation arising where police pose a question to a potential purchaser of a firearm. "Why do you need to have this rifle when you already have two rifles of identical make, type and calibre?" The burden of proof clearly rests with

GENUINE REASON - SPECIAL NEED

the purchaser/shooter to prove his/her special need. How do we do this? What mechanisms are available to prove this 'special need'? Hence the title of this article 'Genuine reason, special need' - the essential hurdles to firearm ownership.

It is my appreciation, right or wrong, that many police officers I have associated with feel that they have been stuck with an invidious responsibility for firearm policing, that they neither wanted nor like. Moreover, many police officers themselves are sporting shooters. In order to effectively police the requirement, police officers only need to seek a reasoned and legitimate answer to such a question as posed above for 'special need'.

There are some intrinsic principles involved at the interface with the police. These are important principles. The police authorities

has a 'broken rifle rule' (ie, where in a competition a rifle becomes unserviceable, the shooter may use another rifle but that rifle must be identical to the broken rifle). This rule clearly justifies the possession of two, not one rifle for each class shot in competition or in the field, similar in example to a spare wheel on a vehicle. Rulebooks prescribe differing classes by specification of rifles used for different scheduled events. Invariably, prescribed competitive shoots that are different in nature require different firearms for competition. Add to these circumstances heavy calibres for defeating windy conditions, light calibres for close range, as well as long range shooting rifles and you are provided with a wealth of legitimate justifications for possession.

To help in good control and justification for possession, I keep a system of paper records for all my rifles. Each sheet describes a particular rifle, its specification and the shooting event for which the rifle is used. This includes heavy and light winds, short-range carbines and lever actions, mid range calibres, long range heavy calibres and special event rifles. I keep one rifle for each type of event per the rulebook and at least one spare rifle for each.

The justification examples have a bias to target shooting no doubt; however, there are many hunters who sight in their firearms on ranges and have access to competitive shooting rules of the SSAA and other sports shooting organisations. There can be no more reasonable justification for possession than a rulebook opened at the relevant page and laid down before a police officer seeking an answer to "why do you need this firearm?"

In more general terms, be advised that when a justification is requested by a police officer, it is no cause for a sarcastic or insulting response that suggests the police officer is a dill or whatever. "I want to pop a bunny or roo" does not cut it! The basic situation is that police are just doing their job. Be reasonable and have your justification sorted out before you get to the counter. Remember the burden of proof rests with you. Premise your response on logic, derived from:

- competition rules - differing shoots, ranges, calibres, propellants
- shooting conditions - night, day, high wind, little wind
- ranges (distance) shot
- backup firearms required - attendance at nationals without a backup gun is economically foolish
- game and associated calibres required for clean and fair kills
- safety in restricted areas (short range

and carry) - risk to the public

- disciplines shot - there is no limit to the disciplines one might participate in
- spare parts for hard to get firearms - all guns for spare parts must be registered
- ballistics and rifling - need for special performance criteria such as bench-rest accuracy and performance derived by matching rifling to projectiles
- sighting systems required having permanent fixture to a rifle - such as telescopic sights, red dot sights low light sights
- specialist firearm applications such as sniper class rifles, shotguns and bench-rest applications

A comment I must make is this: should shooters wish to own large collections of firearms under the state legislations' present regime, they invariably face the issue whether they are really 'collectors' or 'shooters'. Some must make the objective decision to join a collector's guild or society and deal with the issue of rendering firearms temporarily innocuous, as most states require. It is simply a difficult circumstance to maintain a large collection of firing capable firearms, without an enormous commitment in attendance at club shooting in order to provide justification for firearm possession and use.

The old adage of 'rules and regulations are for the guidance of wise men and the blind obedience of fools' has some relativity to our situation. Not all the reasonable answers in the world will deal with prejudice or abuse of legislated police powers. In such events, the benefits of belonging to an approved shooting organisation like the SSAA and others cannot be over-stressed. It is a matter of record that the Association invariably supports its members in attaining reasonable and legitimate possession of firearms. Such support may well be in negotiating a resolution with police authorities on a member's behalf.

In summary then, ask yourself the question: What is my justification for possession? Base your answer on logic and a reasoned case. Have the answer before going to the police. Have a rulebook or written protocol wherever possible when actually applying. If you are not sure, seek help from your club legislation officer or some such appointment. As a last resort, you may very well seek the advice of a local police officer. Not all police officers are opposed to firearm ownership and I know any number of such officers who are pleased to assist shooters in attaining compliance with the law. After all, compliance with the law rather than banning firearms is what policing is about. Is it not? ●

The most effective evidence of 'special need' is found in the rules for competition for target shooters and in some hunting association rules.

do not have the right and cannot set the types and rules of sports shooting that takes place. This is particularly so for target shooters and to a lesser degree for hunters. Rules and protocols for target shooting and hunting are set really by the shooting fraternity themselves, not officers of the law. However, lately we see the emergence of legislated hunting requirements and calibres but this usually has to do with conservation, environmental protection, effective and clean kills and appropriate calibres to species hunted.

The most effective evidence of 'special need' is found in the rules for competition for target shooters and in some hunting association rules. While all these legislative hurdles to ownership have been developing, so have the logical measures appearing in rulebooks that support firearm legal possession. Along with my own endeavours, I am aware of fellow SSAA National Discipline chairmen and their associates taking natural and logical measures in the development of their rulebooks that provide evidence of justification for possession. National Discipline chairmen recognised quite some time ago that the situations many are experiencing now would prevail and acted in concert to meet the problem with well defined rules. Most SSAA rulebooks now serve two distinct purposes: setting out the rules for competition and protocols of justification for firearm 'special need'.

Applying rulebooks for justification is illustrated by some examples. Any rulebook that

Wise words

It will depend on your demeanour if your gun issue is to be discussed in a positive or negative way.

by Gary Fleetwood
Executive Director
Special Projects

The written word

The SSAA web-site guest book (www.ssaa.org.au) attracts active members because it gives them the opportunity to express their thoughts about daily issues. The benefit is a network of firearm activists who communicate 'after hours' and plan 'adventures' for those who support and plan for total gun prohibition.

We have it on good advice that certain government agencies read the guest book and we suggest it is because they are constantly feeling the mood among firearm owners about daily issues relating to firearm ownership.

It became apparent that some control on the guest book had to be implemented when unacceptable language and extreme political views were submitted and then viewed by visitors to the site. When vetting of comments was introduced there were howls of dismay from guest book regulars. Comments such as 'censorship' and 'you bastards are no better than Howard' came our way. Well, we are better - much better.

While censorship has a place in this community of ours, the negative side of this policy is that it is usually implemented by government agencies. The SSAA guest book is censored by gun owners to protect the Association's image, which must remain at a level that will allow open dialogue with both government and the broader Australian community.

Allowing some reference on-line about the commonality in the ethnic background of criminals does not make it easy for Keith Tidswell to communicate with community leaders. Stupid comments attract the gun prohibitionists who most certainly copy and paste them for future reference in relation to the mindset of the average 'law abiding gun owner'. There are ample facilities on the Internet to express views that clash with SSAA policy. Those locations are but a left click away.

Firearm owners who think that the SSAA is 'big enough' to withstand community concerns about the psyche of urban firearm ownership really need to re-evaluate their thoughts. We only exist because the broader community still accepts that the majority of firearm owners are reasonable people, despite the media con-job in support of the Howard firearm doctrine. If we lose that acceptance by our fellow Australians, we face a gloomy future.

Writing letters

How many times have you heard a request to write letters to your politicians? Letters are still a very powerful way of letting your local member know that you are unhappy, or happy, with his or her party policies. Having written the odd letter, can I offer you the following tips?

- Plan your letter to be one page only. Be specific. Get to the point. Typing page after page of waffle will have the letter destined for the round filing cabinet. 'Letter? What letter?' will be the electoral office response to your phone call or second attempt to communicate.

- Ask for a reply or a task to be undertaken by the recipient. Don't ask for the moon, you won't get it. Be reasonable in your requests.

- Quote a source if you make a claim about a matter. Making broad statements about urban myths indicates to the adviser that you need a rest. Substantiate your statements by a reference. If you read about it in this Journal or a newspaper, then attach a photocopy if you can. If you cannot substantiate what you claim, then don't proceed. Your credibility is at risk, not the politician's.

- Be nice. Congratulate them on a recent win - even if you did not vote for them. Remember, thanks to the media, they expect gun owners to be loud, abusive and extreme in their views. Being abusive in the first paragraph will ensure your letter is read

no further. Politicians have social gatherings and they discuss issues. It will depend on your demeanour if your gun issue is to be discussed in a positive or negative way.

- If not required, do not advise them that you are a SSAA member. There are reasons for that.

- If you wish for a response by a particular politician, do not accept a reply from 'the Minister responsible' as finishing the matter. Your follow-up communication should remind your member that you voted for him/her and not 'the Minister responsible'. You have a moral right to expect your elected government official to respond with their views on any issue. If you still are denied a response, join the branch of the party they represent.

- Be prepared for your name and address to be added to a list of either 'letter writers' or 'gun-nuts'. These lists quickly enable an adviser to decide if your letter is an ongoing event in your troubled life. He/she will then make a biased judgement as to whether or not your letter will be sent down the line to the senior adviser, who, armed with background information, may then decide to raise the issue personally with the politician. If you are a frequent letter writer, it is even more important to keep it brief and to the point. Political staff members hate prolific letter writers - they cause work.

- If you receive, after several communications, the standard 'we beg to differ and there is no point in us continuing this correspondence' response, then appear personally (if you can) at the local electoral office and request, in a cordial manner, a meeting with the politician. Only request a personal meeting if you honestly think your request for a response has been disregarded. Do not be short, abusive or heated with the individual at the front desk. They too have friends and discuss office activities. Gun owners may come up for discussion for all the wrong reasons. We can do without fur- ►

ther 'unintended consequences' by way of further anti-gun supporters. The receptionist can make or break your future chances of personal contact with your representative. Be prepared for the run around. Smile, and while you sit in the reception area and open your sandwiches, advise them that you are prepared to wait. I sat for three days in a Minister's Parliamentary Office in a foreign land just to tell him that he would be arrested if he did not surrender his firearm. I walked away with his SIG 226, he with his superannuation and his wife with her life.

We see many copies of letters that firearm owners have written to politicians. We also maintain a database of letters received from politicians. I have had occasion to cringe at both.

The personal touch

A recent radio interview with Flinders University political analyst Professor Dean Jaensch indicated that personal presentation was the best way to indicate to a politician that you are serious about your problem (www.ssaa.org.au/jaensch.html).

"So I think that if you're going to be an active political person, and heaven knows all of us should be, then the way to affect any Member of Parliament is not to sign a petition, it's to get yourself, and all of your friends, and your colleagues, and your siblings, and your relations, and the people down the street and anyone else you can convince, to make a long queue outside that Member of Parliament's office and to simply be there, demand to see him or her and spend time there and tell them in absolutely clear terms what you want.

"Now, that will show absolutely clearly to the Member of Parliament that there's one heck of a lot of people from his or her own electorate which are very much concerned about this issue and that's when the thought processes starts."⁽¹⁾

A plea

In summary, please be considerate to other firearm owners if you engage in the firearm political battle. A thoughtless word or deed can quickly and permanently turn neutral individuals against us. The Association, by its words, deeds and your financial support, will continue the fight to maintain a place for us next to our non-gun-owning fellow Australians. Our success depends not on our money or our large membership, but on you, the individual member, being smart.

As always I am happy to discuss these comments and I can be contacted on mobile 0407 616 218. ●

⁽¹⁾ Radio 5AA - Adelaide, The Leon Byner Show 16/5/2000.

ASJ Letters

What's good for me, is good for me

I read with interest the comments in the ASJ May 2000 crime statistics and the Attorney-General's comments.

I was not at all surprised by Mr Shelton's comment. I work in suicide prevention and in such a position have had, by necessity, many dealings with government.

After years of frustration in my dealings with government it goes without saying that one could be forgiven for thinking that government has little to no regard for the average honest and just Australian.

Perhaps though, the single greatest deficit in the hallowed halls of Australian government is this: The politicians you elect, while ultimately responsible for the decisions of parliament, do not run the country. These same politicians (ministers) rely very heavily on advice from the academic sector and senior bureaucrats.

From my experience with academics I find two fundamental flaws: 1) academics are usually well out of touch with the reality of life for the average Aussie at community level and 2) academics develop a sense of superiority and with that a self-righteous and self-opinionated attitude. Once again, one could be forgiven to sum it up as a demi-god attitude.

The bureaucrats on the other hand are doing nothing more than protecting their bureaucratic positions. After all, if someone can do the job more effectively and justly than they, they're out of work, so who pays

off the mortgage and family?

From my experience in suicide prevention, the government effort is an industry in itself that offers none of the support and clinical services needed. It is a veneer industry. ABS facts and figures are ignored; community input is ignored and even met with considerable resistance. The reason for this is simple - government, academia and bureaucracy are protecting their industry and will do so at all costs, even at the expense of human well-being.

The new gun laws, while maybe a logistical nightmare, have created another new industry for academics and bureaucrats. These people will not utter the suggestion that these laws are ineffective because such utterance threatens their jobs. Make no mistake, they care very little about whether what they are doing is in the best interest of the country or not. The fact is they erroneously believe it's in their best interest and for them that's all that matters.

The SSAA, along with many other associations from all areas of life, is experiencing over regulation and selective hearing with government which can aptly be described as the socialist society, which, on the ladder is, one rung under communism. We as honest and just Australians must be more united, watchful and so careful of what we allow in government and embrace as law.

B Dimmock, Mt Gravatt, Qld

Common sense - at last

I have read your devastatingly powerful article, "Would the media care if he hadn't used a gun?" by Jeff Jacoby - as published in the November 1999 ASJ.

I am not so much a supporter of guns as I am a strident opponent of the left Liberal trash who oppose the legitimate ownership and use of them.

Your article is wonderful and a fantastic example of the sort of flat, blunt, factual common sense that makes Liberals writhe with anger. Liberals. They

rend the social fabric and destroy all the religious and social taboos that maintain stability in society and then round on law-abiding, socially responsible gun owners after some social misfit - a product of the Liberal left white-anting of society - runs out and murders innocent people with a gun (that is probably illegally owned to boot!). They will be the death of the modern western society.

More power to you Jeff!
Eric Fleay, Perth, WA

Parting shots

The good:

When it comes to the future of shooting, there are some who are all talk and then there are some who are ready and willing to take action.

Mr Graeme Campbell of Mardan, Victoria is a man of action. A shooter of more than 30 years, he grew tired of hearing and reading the negative press commonly given to sporting shooters and decided to do something about it. What this sheep and cattle farmer has done is created a sticker promoting shooting - of all sorts.

"I feel it's about time the positive side of our sport was publicised or the negative side will take over," he wrote.

If you share Mr Campbell's sentiments, you can order his 'I enjoy my shooting, sport' sticker by writing to: Graeme Campbell, RMB 5650 Holmes Road, Mardan, Via Mirboo North, Vic 3871.

At just \$2 each, they are an inexpensive way to say you are a proud sporting shooter.



The bad:

On May 10, a shotgun, a revolver, a pistol, an air pistol, several bags of heroin, tablets and marijuana seeds, credit cards, stereo equipment, number plates, two imitation pistols, illegal knives, a non-police issue steel baton, about \$200 in cash and several bottles of whisky were found hidden in the ceiling of a police station in St Kilda, Victoria. Just weeks after the initial discovery, another gun, believed to be .22 calibre, was found during office renovations.

Assistant Commissioner Graeme McDonald said that he was saddened and embarrassed over the findings and will continue to have the corporate management review department look at work practices within the office.

DNA tests are being conducted on the items found and it is possible that police officers may be asked to provide DNA samples.

The ugly:



In October 1999, Dr Catherine Schuller took part in an interview with Triple J radio station, during which she outlined her disdain for hunting; a number of people were not impressed.

In the January/February issue of the ASJ, Dr David Carter, a Canberra-based ecologist, reviewed the paper *Killing for Sport* by Dr Schuller, in which Schuller condemns all forms of hunting. Dr Carter's review was anything but flattering.

In an article in the April 2000 issue of *The Veterinarian*, Dr Schuller implies that she felt threatened by the SSAA and according to *The Veterinarian*, Dr Schuller had "a frightening few months" subsequent to her radio interview. She says, "They're [the SSAA] not like an ordinary gun lobby...they're full of veiled threats, like 'We'll be watching Dr Schuller with interest...'"

While the Association will be watching her future work with great interest, the implication that the SSAA and its members are giving veiled threats is purely imaginative on the behalf of Dr Schuller and somewhat of an over reaction.

The SSAA is now seeking a full apology and retraction from *The Veterinarian* or it will take legal action to protect the good reputation of the Association, its executives and its 120,000 members.

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