

GUNS LAWS IN GREAT BRITAIN, AUSTRALIA, AND CANADA

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Great Britain,
Australia,
and Canada**

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Introduction

This material was created and published at the Law Library of the United States Congress.

This report examines the legal approach to gun control—including ownership and possession, licensing and registration, background checks, training, storage, weapons bans, and related issues—in Great Britain, Australia and Canada.

Firearms-Control Legislation and Policy: Great Britain

Summary

Great Britain has some of the most stringent gun control laws in the world. The main law is from the late 1960s, but it was amended to restrict gun ownership further in the latter part of the twentieth century in response to massacres that involved lawfully licensed weapons. Handguns are prohibited weapons and require special permission. Firearms and shotguns require a certificate from the police for ownership, and a number of criteria must be met, including that the applicant has a good reason to possess the requested weapon. Self-defense or a simple wish to possess a weapon is not considered a good reason. The secure storage of weapons is also a factor when licenses are granted.

Introduction

Great Britain has the reputation of having some of the tightest gun control laws in the world. [1] Only police officers, members of the armed forces, or individuals with written permission from the Home Secretary may lawfully own a handgun.[2] This stringent legislation may, in part, account for Britain’s relatively low statistics for the use of firearms in crime—in 2008–2009 firearms were used in only 0.3% of all recorded crimes and were responsible for the deaths of thirty-nine people.[3] This report covers the law relating to the lawful ownership of firearms and offenses for unlawful possession.

Firearms laws governing the country have generally been enacted in a reactive manner in response to massacres and overwhelming public support that backed the introduction of prohibitions on firearms. The laws cover a number of weapons, including handguns, shotguns, imitation firearms, deactivated firearms, and air weapons. This report focuses on the requirements to lawfully own a shotgun, firearm, or a prohibited weapon for residents of Britain.

History of Firearms Law

Early Regulation

Early acts regulating the ownership of firearms were fairly limited. The Gun Licenses Act 1870 and the Pistols Act 1903 served primarily as Acts to generate revenue and required owners to hold a license from the post office. The system was described as generally ineffective.[4] In 1920, the Firearms Act[5] was passed, to stop firearms from being used by criminals and “other evilly disposed or irresponsible persons.”[6] While one aim of the restriction was to curb violent crime, it was believed that other reasons included concerns over uprisings in Russia spilling over into Britain, particularly with the end of World War I and the return of thousands of troops trained in the use of firearms and an increase in the number of such weapons in circulation.[7] This Act set out the basis for the licensing system of firearms that is still in operation today, providing the chief officer of police in the district the applicant lives with the authority to issue licenses. When enacting this legislation, the right to bear arms by citizens was considered; however, “this was countered by the argument that such redress was adequately obtainable through the ballot box and by access to Parliament and the courts.”[8] Further controls were introduced in 1937 to allow conditions

to be attached to certificates and to place more stringent restrictions on particularly dangerous weapons such as machine guns.[9]

The laws were consolidated and amended in 1968 with the enactment of the Firearms Act, which is the legislation still used today.

Modern Developments in Firearms Legislation

The development of major changes in modern day firearms legislation in Britain has generally been preceded by tragedy and a change in public attitude and opinion towards the ownership of firearms.

The Hungerford Massacre and the Firearms (Amendment) Act 1988

In 1987 Michael Ryan shot and killed sixteen people, including his mother, and wounded fourteen more before killing himself in what became known as the Hungerford massacre.[10] Ryan used two high-velocity semiautomatic rifles, a US M1 carbine, and an assault rifle that he lawfully owned to perpetrate the massacre.[11] The Firearms (Amendment) Act 1988[12] was passed as a direct result of this incident. The 1988 Act banned the ownership of high-powered self-loading rifles and burst-firing weapons, and imposed stricter standards for issuing ownership certification for pump-action shotguns with a magazine of more than two bullets. When enacting this legislation, the government considered that the tightened controls were justified as it had to safeguard the public at large, but at the same time “protect the interests of the legitimate shooting community.”[13]

The legislation did not result in the complete cessation of shootings—just a year after the law was enacted Robert Sartin, who suffered from schizophrenia, killed one person with a shotgun and wounded sixteen more.[14] However, the Hungerford massacre that preceded the legislation saw a changed attitude to guns by the police, and tighter checks before certificates were issued.[15]

Dunblane and the Firearms (Amendment) Act 1997

Close to ten years after Hungerford, in 1996, another massacre occurred at an elementary school in Dunblane, Scotland. This incident bears strong similarities to the Sandy Hook shootings in the US.[16] Thomas Hamilton walked into a primary (elementary) school in Dunblane, Scotland, and shot and killed sixteen small children, aged four to five, and their teacher in the school gym before killing himself. Hamilton lawfully held the two rifles and four handguns that he used for the massacre, and had lawfully held firearms for almost twenty years prior to this incident.[17]

The Firearms (Amendment) Act 1997 [18] was passed in response to overwhelming public opinion that firearms should be banned from use by the civilian population. The law did not introduce a complete ban on firearms, but served to essentially prohibit the private ownership of handguns in Britain.[19]

Cumbria

In 2010 Derrick Bird killed twelve people and wounded twenty-five in Cumbria, a county in northwest England.^[20] He lawfully possessed the firearms used in the shootings.^[21] Parallels were drawn between the Hungerford massacre in 1987 and the Cumbria massacre in 2010. The number of fatalities were higher by four people in the Hungerford massacre, where sixteen were killed, compared with twelve in the Cumbria massacre, but the number of casualties were significantly higher in the Cumbria massacre—twenty-five wounded compared to fifteen. The difference in these figures was, in part, attributed to the weapons used to perpetrate the crimes.^[22] Unlike previous mass shootings, this did not lead to a major change in firearms legislation.

Public Inquiry After Dunblane

A public inquiry was held after the Dunblane massacre to investigate the circumstances that led to the shootings, consider the issues that arose from the shootings, and make recommendations.^[23] Lord Cullen led the inquiry and made a series of recommendations that firearms laws be tightened, but rejected calls for an outright ban on the possession and use of guns.^[24]

The inquiry considered whether the availability of weapons under the Firearms Act and incidences of crime involving firearms were inherently connected. Lord Cullen determined that the banning of handguns for target shooting or shooting clubs could not be justified. Instead, he recommended that self-loading pistols and revolvers held for target shooting be restricted by disabling them while not in use.^[25]

The House of Commons Home Affairs Committee had also narrowly recommended against an outright ban on handguns.^[26] The Committee considered that banning the lawful ownership of handguns would be redundant if unlawful handguns remained easy to obtain and that “a prohibition could only result in a minimal improvement in public safety.”^[27]

The government response to the Cullen Report was the introduction of the Firearms (Amendment Act) 1997, which went considerably further than the recommendations put forth by both the inquiry and the House of Commons Committee. Overwhelming public opinion backing the ban of handguns appears to have led both the government and the opposition party to agree on the ban.^[28] The Home Secretary announced in the House of Commons his disagreement with the findings of Lord Cullen’s report:

I propose to go considerably further than Lord Cullen has suggested in two respects. First, we shall ban all handguns from people’s homes. I do not agree with Lord Cullen that it would be safe to allow single-shot handguns to remain in the home. I believe that they should be subject to the same controls as those imposed on multi-shot handguns.

Secondly, we shall outlaw high-calibre handguns of the kind used by Thomas Hamilton. Low-calibre handguns—.22 rimfire handguns—will have to be used and kept in licensed clubs. We believe that a distinction needs to be made between high-calibre handguns, which are principally made for police and military use, and .22 rimfirehandguns, which are largely intended for target shooting.^[29]

Other ideas voiced after the Dunblane massacre included a system requiring holders of firearms and shotguns to obtain an annual certificate of fitness to hold a firearm from their

doctor each year. The gun lobby objected to this, citing the cost, and the British Medical Association [BMA] also opposed the move, claiming that it would be impossible for doctors to provide such “sanity certificates.” [30] While past mental illness, alcoholism, and drug addiction is taken into account when issuing firearms or shot gun certificates,

"it is virtually impossible for a doctor to make a judgement about someone’s fitness to hold a gun, according to the BMA." . . . And given the number of certificates issued annually—each is renewable every three years—"it would be frankly impossible for psychiatrists to provide a full psychiatric examination of everyone holding a certificate, and there would be no guarantee even then that you would spot the people at risk." [31]

Doctors were also concerned over their potential liability if they provided a clean bill of health for a certificate and the holder later went on a rampage.

Compensation

After the ban on handguns, the government established a £150 million (approximately US\$200 million) program to compensate handgun owners for firearms that they handed in to police stations during an amnesty period that ran from July 1997 through February 1998. Handgun owners were able to opt for one of three levels of compensation:

1. A flat rate for individual items;
2. Payment at a rate published for individual items;
3. Payment provided in accordance with an independent valuation. This typically occurred where a firearm had been adapted and its value increased beyond the listed price.[32]

This compensation program was criticized by some who considered that companies were not typically compensated for any losses they faced or incurred as a result of legislative changes. [33]

The amnesty and buyback program led to the surrender of 162,000 weapons and 700 tons of ammunition.[34]

Firearms Laws

The Firearms Act 1968 is the primary piece of legislation that controls the use and possession of firearms. It has been amended many times and provides for over fifty firearms-related offenses that aim to control and restrict firearms use.[35] The Act is described as a “regulatory regime that is coercively enforced by way of criminal offences and penal sanctions.”[36] Different categories of weapons are provided for by the Act, including firearms, prohibited weapons, shot guns, air weapons, and imitation firearms.

Definition of Firearm

Section 57(1) of the Firearms Act 1968 defines “firearm” as

a lethal barreled weapon of any description from which any shot, bullet or other missile can be discharged and includes—

- (a) any prohibited weapon, whether it is such a lethal weapon as aforesaid or not; and
- (b) any component part of such a lethal or prohibited weapon; and
- (c) any accessory to any such weapon designed or adapted to diminish the noise or flash caused by firing the weapon.[37]

While the definition of firearm refers to lethal barreled weapons, it is not further defined by statute. When considering if an item is a lethal barreled weapon the court established a test “that a weapon is lethal if it is capable of causing injury from which death might result, regardless of the maker’s intention.”[38] Thus the question of whether an item is a lethal barreled weapon is a question of fact. The Court of Appeal has ruled that the judge should consider whether the item is capable of being used as a firearm and the jury should then determine whether it is a lethal weapon.[39]

Prohibited Weapons

There are a number of firearms that are prohibited in Britain. It is an offense to possess, purchase, acquire, manufacture, sell, or transfer these prohibited weapons without the written authority of the Defence Council or Scottish Ministers.[40] The Defence Council or Scottish Ministers can attach any conditions that they believe are necessary to any authority permitting ownership to ensure that a prohibited weapon or ammunition is secured and will not endanger public safety or the peace.[41]

Prohibited weapons include military style weapons, firearms disguised as other objects, and

- a) any firearm which is so designed or adapted that two or more missiles can be successively discharged without repeated pressure on the trigger;
- (ab) any self-loading or pump-action rifled gun other than one which is chambered for .22 rim-fire cartridges;
- (aba) any firearm which either has a barrel less than 30 centimetres in length or is less than 60 centimetres in length overall, other than an air weapon, . . . a muzzle-loading gun or a firearm designed as signalling apparatus;
- (ac) any self-loading or pump-action smooth-bore gun which is not an air weapon or chambered for .22 rim-fire cartridges and either has a barrel less than 24 inches in length or . . . is less than 40 inches in length overall;
- (ad) any smooth-bore revolver gun other than one which is chambered for 9mm. rim-fire cartridges or a muzzle-loading gun;
- (ae) any rocket launcher, or any mortar, for projecting a stabilised missile, other than a launcher or mortar designed for line-throwing or pyrotechnic purposes or as signalling apparatus;
- (af) any air rifle, air gun or air pistol which uses, or is designed or adapted for use with, a self-contained gas cartridge system;

(b) any weapon of whatever description designed or adapted for the discharge of any noxious liquid, gas or other thing; and

(c) any cartridge with a bullet designed to explode on or immediately before impact, any ammunition containing or designed or adapted to contain any such noxious thing as is mentioned in paragraph (b) above and, if capable of being used with a firearm of any description, any grenade, bomb (or other like missile), or rocket or shell designed to explode as aforesaid.[42]

Lawful Ownership and Use: Certification

The Firearms Act 1968 makes it unlawful to possess, purchase, or acquire a firearm, shotgun, or ammunition that is not prohibited in Britain without a certificate,[43] although this regulation is subject to certain exemptions.[44] For the purposes of licensing, shotguns are distinguished from firearms, which are defined above. Individuals who wish to obtain a certificate to possess a firearm or shotgun must apply to the chief officer of the police in the area in which they reside and show that they have a “good reason” to possess each weapon. The term “good reason” is “one of the most substantial and complex areas of discretion that chief officers may exercise in licensing firearms.”[45] The reasons for ownership must be genuine and substantial, and the police are expected to make reasonable inquiries to determine the reason. These include verifying the species present on land for those wishing to shoot animals to ensure that the firearm for which the certificate is sought is suitable for the purpose.[46] Where target shooting is the reason, the police must verify that the applicant is a member of a club.[47]

The desire to own a particular weapon or the claimed need for self-defense are not deemed to be sufficiently good reasons to obtain a firearms certificate.[48] Firearms inquiry officers may visit the applicant to determine whether their good reason is bona fide.[49] It is an offense to either knowingly or recklessly make a false statement to obtain, either personally or for another person, a firearm or shotgun certificate. [50]

Until recently, individuals under eighteen years of age could legally purchase or hire firearms, shotguns, and ammunition in Great Britain. A Directive from the European Union altered this: the age that firearms may be purchased has been harmonized within the European Union to eighteen years of age.[51]

Shotgun Certificate

Applications for a shotgun[52] certificate must include

- a completed application form as provided for by the Firearms Rules;[53]
- four passport-sized photographs, one signed by a referee (reference) that it is a true likeness of the applicant;[54] and
- a signed statement by a referee that the information contained in the application is correct and that they know of no reason that the person should not be allowed to possess a shotgun.

The person providing the signed statement must “(a) be resident in Great Britain, (b) have known the applicant personally for at least two years, and (c) be a member of Parliament, justice of the peace, minister of religion, doctor, lawyer, established civil servant, bank officer or person of similar standing.”[\[55\]](#)

Shotgun certificates may be granted by the chief officer of police if he is satisfied that the applicant’s possession of a shotgun will not pose a danger to public safety or the peace. Certificates will not be granted if the chief officer of police

(a) has reason to believe that the applicant is prohibited by this Act from possessing a shot gun; or

(b) is satisfied that the applicant does not have a good reason for possessing, purchasing or acquiring one.[\[56\]](#)

The term “good reason” for possession of shotguns includes reasons connected with the certificate holder’s profession, sport or recreation, or shooting vermin.[\[57\]](#) The requirement for “good reason” to possess a shotgun was introduced after the Hungerford massacre and concerns that weapons were being purchased for self-defense.[\[58\]](#)

Firearm Certificate

Applications for a firearm certificate must include

- a completed application form as provided for by the Firearms Rules;[\[59\]](#)
- the names and addresses of two people acting as referees, who must be residents of Great Britain, of good character, and have personally known the applicant for at least two years;[\[60\]](#) and
- four passport-sized photographs, one signed by the applicant and one signed by a referee.

The referees are used to “provide confidential character statements in which they are expected to answer in detail about the applicant’s mental state, home life and attitude towards guns.”[\[61\]](#)

The chief officer of police may grant a firearm certificate if he is satisfied that the applicant is not prohibited by the Firearms Act from possessing a firearm; is fit to be entrusted with a firearm; has good reason for possessing, purchasing, or acquiring the firearm or ammunition; and that the applicant’s possession of the firearm does not pose a danger to public safety or the peace.[\[62\]](#)

Medical Requirements for Firearm and Shotgun Certificates

The application forms for both firearm and shotgun certificates require information such as the medical history of the applicant, including a release that allows the police to obtain the applicant’s medical history from his/her doctor. The police typically check with the doctor if there is “evidence of alcoholism, drug abuse or signs of personality disorder. Social services can also be asked for reasons to turn down an applicant.”[\[63\]](#)

Guidance on the implementation of the firearms law states that the authority to obtain the applicant's medical history is not routinely used, but rather used

in cases where there are genuine doubts or concerns about the applicant's medical history that may have a bearing on the applicant's suitability to possess firearms. The authority should be used only where the doubts or concerns about the applicant's medical history appear to require more detailed information to enable the final assessment of the application to be conducted. Such doubts or concerns might be prompted by the applicant's answers to the medical questions on the application, or they may arise from other information available to the police.[\[64\]](#)

The ability of the police to check the applicant's medical history is not time limited to the initial application period for the certificate. The police may, at any time during the life of the certificate, check with the applicant's doctor if concerns over the applicant's fitness to possess firearms arise.[\[65\]](#)

Conditions of Ownership of Firearms

A firearm certificate details the type and number of weapons that it covers, including identification numbers and quantities of ammunition the holder may purchase or acquire and possess at one time.[\[66\]](#) Conditions under which the firearm may be used may be attached to any certificate granted. In certain cases, conditions are imposed by statute—for example, rifles or muzzle-loading pistols covered by a certificate can only be used for target shooting, and the holder of the certificate must be a member of an approved rifle or muzzle-loading pistol club.[\[67\]](#)

Conditions of the certificate for both firearms and shotguns include keeping the weapon and ammunition secured in a safe place when not in use to prevent access by an unauthorized person, and promptly reporting any loss or theft to the police. There are very specific levels of security that must be met to prove the secure storage of firearms, including cabinets that meet specific British safety standards.[\[68\]](#)

When considering whether firearms are kept safely, the police must take into account whether any unauthorized access to the firearms may occur, including by family members and associates who pose a danger to public safety.[\[69\]](#) “Unauthorized access” has been broadly interpreted to include situations where individuals other than the holder of the certificate have access to the keys for the secure storage where the firearms are kept.[\[70\]](#)

An example of how strictly the secure storage requirements for weapons are interpreted was highlighted in 2000 when Arthur Farrer, a former partner at Farrer & Co., the Queen's lawyers, informed his eighty-one-year-old mother where he kept the keys to his gun cupboard. The police revoked Farrer's license, a decision that was later upheld by the Court of Appeal, despite the police indicating that Farrer's mother never handled the guns or otherwise expressed any interest in them.[\[71\]](#)

Duration and Revocation of Certificates

Once granted, a firearm certificate is typically valid for a five-year period.[\[72\]](#) However, firearm certificates may be revoked if the person is

- A danger to public safety or to the peace;
- Of intemperate habits;
- Of unsound mind;
- Unfit to be entrusted with such a firearm;
- A prohibited person under the Firearms Act; or
- No longer has 'good reason' for possession.[73]

Each case is judged on its own merits and circumstances. The police have provided guidance on how the above terms should be interpreted. Criteria that justify the revocation of a certificate for "intemperate habits" include evidence of alcohol or drug abuse; aggressive or antisocial behavior, such as domestic disputes; or hostility towards a group of people. Consideration is also given to

disturbing or unusual behaviour of a kind which gives rise to well-founded fears about the future misuse of firearms. A pattern of abuse should generally be regarded more seriously than a single incident, although isolated incidents should not be disregarded in the assessment of the person concerned and their fitness to possess a firearm.[74]

When determining whether a person is unfit to possess a firearm, the police consider whether the person is a prohibited person under the Firearms Act, whether they have any convictions or cautions, or whether they have any other known involvement in criminal offenses.[75] Cases where a refusal to grant a certificate, or the revocation of a certificate, have been upheld include where the holder had drunk-driving convictions and where a spouse of the holder had two prior drug convictions but continued to associate with drug users.[76]

Refusing to grant, or revoking, a license on the grounds that the applicant or holder is of "unsound mind" is a sensitive area. Guidance to the police notes the difficulties of providing a definition of the term that covers every eventuality, and points out that it is "impractical for a psychiatric assessment to be conducted on an applicant's suitability to possess firearms." [77] Instead, the police are required to consider any "signs of depression, suicidal tendencies, long-standing or intermittent periods of either emotional instability or unpredictable behaviour. Chief officers should also be alert to any of these signs exhibited by existing certificate holders." [78] Periods of detention under the Mental Health Act are considered; however, the guidance specifically notes that there should be "no correlation between periods of imprisonment and periods of detention under the Mental Health Act." [79] In cases where there have been past instances of mental health issues such as depression, the police must

remember[] that simply because a person has received treatment in the past for certain illnesses or conditions, such as depression or stress, it does not automatically follow that they are unfit to possess a firearm. It is simply one of the factors to be considered with all other evidence relating to the applicant's character and history. In such cases, account should be taken of the latest medical opinion.[80]

Shotgun certificates may be revoked by the chief officer of police if he is satisfied that the holder is prohibited by the Act from possessing a shotgun, or if the individual poses a danger to public safety or the peace through his or her possession of the shotgun.[81]

Individuals convicted of an offense under the Firearms Act, or a crime where a term of imprisonment is imposed, may be ordered by the court to forfeit or dispose of any firearm or ammunition held, and cancel any firearm or shotgun certificate held by the individual.[82]

Appealing the Denial of a Certificate

The refusal of the police to grant a firearm or shotgun certificate is appealable to the Crown Court (or the Sherriff in Scotland).[83] In these cases, the court is exercising an administrative function; therefore the normal rules of evidence do not apply in these cases.[84] One commentator has noted that, in practice, decisions by the police to refuse a certificate can in some cases be arbitrary and be made for reasons such as “the nature of a person’s lifestyle or associates, to (which is rare) criminal activity.”[85] Frustrations have been voiced regarding the appeals process both by the police, who consider that in certain instances their decisions are overturned without full consideration,[86] and by the applicants for certificates, who consider that the process, which is expensive and therefore in many instances inaccessible, is against their favor due to the evidentiary rules.[87]

Statistics on Certificates Granted

While the legislation that authorizes possession of firearms is relatively stringent, certificates are still granted. For the period 2008-2009, 138,728 certificates for firearms and 574,946 certificates for shotguns were in effect. In March 2012, almost 142,000 firearm certificates were in effect and over 560,000 shotgun certificates.[88] The refusal rate of certificates for these weapons is low, at 1 and 2%, respectively. In 2008-2009, 1,300 certificates were revoked.[89]

The Metropolitan Police has stated that firearms certificates in its area are granted predominantly for “single shot rifles of any caliber, self-loading .22RF rifles (and corresponding ammunition) and muzzle loading pistols.”[90]

Prohibited Individuals

Individuals absolutely prohibited from obtaining a firearm or shotgun certificate include those who have been sentenced to any form of custody or preventive detention for three years or more.[91] Those with sentences for more than three months but less than three years cannot possess firearms or ammunition for a period of five years after the date of release.[92]

Exemptions from Certification

There are a number of exemptions for holding firearm and shotgun certificates. These include, *inter alia*, exemptions for

- holders of temporary permits, which are typically granted to allow an executor to dispose of a weapon that belongs to the estate he or she is administering;
- authorized firearms dealers who handle weapons for which they do not personally hold a certificate;

- people licensed to slaughter animals, who may possess a slaughtering instrument and ammunition in the slaughterhouse where they are employed;
- auctioneers, carriers, or warehousemen possessing firearms in the ordinary course of business;
- people possessing firearms during and for theatrical, film, and television production, performances; or rehearsals or theatrical productions;
- people holding firearms at athletic meetings for the purpose of starting a race or for other sporting purposes;
- people using air weapons or miniature rifles that do not exceed .23-inch caliber at a miniature rifle range, or shotguns at an approved time and place for shooting artificial targets;[\[93\]](#)
- firearms on board a ship as part of its equipment;
- people who borrow the shotgun of an occupier of private premises[\[94\]](#) for use on that private premises only.[\[95\]](#)

Clubs and Firearms

As noted above, shooting clubs may be used by people who do not hold a firearm or shotgun certificate. There are stringent conditions that must be met for a club to be approved. Approval is from the Home Secretary for clubs in England and Wales, and from the Secretary of State for clubs in Scotland. Once approved as a club under the Act, any members may possess firearms or ammunition without a certificate “when engaged as a member of the club in connection with target shooting.”[\[96\]](#)

Authorities must ensure that clubs meet the following extensive criteria prior to approval:

- the club is a genuine target shooting club with at least 10 members at all times and a written constitution;
- the principal officers of the club are responsible people who can be entrusted with the proper administration of the club;
- members are of good character;
- the club must appoint a member to act as a liaison officer with the police, and the chief officer of police must have confidence that this person is providing the police with such information as they require to ensure that the activities of the club and its members are conducted properly and safely and give no cause for concern;
- the club maintains a register of the attendance of all members together with details for each visit of the firearms which they used;
- the club will inform the police of any holder of a firearm certificate who has ceased to be a member for whatever reason;

- the club will inform the police if any member who holds a firearm certificate has not shot with the club for a period of 12 months;
- the club will inform the police of any application for membership, giving the applicant's name and address, and of the outcome of any application;
- members, prospective members and guests must sign a declaration that they are not prohibited from possessing a firearm or ammunition by virtue of section 21 of the Firearms Act 1968 (which applies to persons who have served a term of imprisonment);
- the club has regular use of ranges with safety certificates for the categories of firearm in respect of which approval is being sought or given, as the case may be;
- the security arrangements for the storage of club firearms and ammunition are satisfactory;
- the club does not run a day or temporary membership scheme;
- the club does not have more than 12 guest days a year. Guest members must be either members of a recognised outside organisation or people who are known personally to at least one full member of the club;
- guests must be supervised on a one-to-one basis at all times when handling firearms and ammunition by either a full club member or someone who is a coach with a qualification recognised by the UK or national Sports Council. The club secretary must notify each guest day to the police firearms licensing department of the area in which the guest day is to take place at least 48 hours in advance;
- anyone who applies for membership must be sponsored by at least one full club member;
- before becoming a full member, individuals must have a probationary period of at least three months during which time they must attend and shoot regularly. The probationary member must be given a course in the safe handling and use of firearms on a one-to-one basis by someone who is either a full member of the club or who is a coach with a qualification recognised by the Great Britain Target Shooting Federation and governing bodies;
- until a probationary member has satisfactorily completed a course in the safe handling and use of firearms, he/she must be supervised at all times when in possession of firearms or ammunition by either the range officer, or a full member of the club, or someone who is a coach with a qualification recognised by the Great Britain Target Shooting Federation and/or governing bodies;
- there is nothing else that would make the club unsuitable for approval.[\[97\]](#)

Minimum Sentencing Laws

Strict penalties and mandatory minimum sentencing further enhance the laws regulating gun ownership in Britain. A number of firearms offenses carry mandatory minimum prison

sentences, which is the minimum term provided for by the offense unless there are exceptional circumstances that justify deviating from this.[\[98\]](#) One result of this law is that anyone found unlawfully possessing a firearm faces a five-year mandatory minimum jail sentence.

The government has raised concerns that mandatory minimum sentencing is applied inconsistently, attributed in part to differing interpretations of the term “exceptional circumstances.”[\[99\]](#) In an attempt to clarify this, the Court of Appeal held that circumstances are “exceptional” if the imposition of the minimum term would result in an arbitrary and disproportionate sentence.[\[100\]](#)

Effectiveness of the Legislation

In 2010/11 fifty-two victims of homicide were killed by firearms. This figure includes the twelve victims of the Cumbrian shootings. Of the total recorded offenses for this period, 11,227 involved firearms. The use of firearms in offenses has been slowly falling for the past seven years, and by 2010/11 had decreased by 13% from the previous year. Handguns were used for 3,105 offenses in 2010/11, down almost 17% from 2009/10. There was a slight increase in the number of offenses that involved shotguns; however, these still remain fairly low and range between 580–640 offenses per year.[\[101\]](#)

The following table lists Home Office statistics for firearms used during offenses, for parliamentary years 2000/01 through 2010/11:[\[102\]](#)

Weapons Used* 2000/1 2001/2 2002/3 2003/4 2004/5 2005/6

Shotgun	73	111	107	104	135	154
Hand gun	400	648	640	590	780	1,024
Other firemans	909	1,120	1,432	1,673	2,989	2,644
All firearms	1,382	1,879	2,179	2,367	3,904	3,822

Weapons Used 2006/7 2007/8 2008/9 2009/10 2010/11

Shotgun	128	157	137	141	157
Hand gun	792	881	493	504	483
Other firemans	2,091	2,203	1,131	1,268	1,309
All firearms	3,011	3,241	1,761	1,913	1,949

*Statistical data for air weapons is excluded from this chart.

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