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News and Views

Anthony Grainger Report

BOOK REVIEWS

New 'Old' Products:

The Welrod Pistol

Blank-firing Sten Gun

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### EDITORIAL

The Home Office has become more interested in the health of people who hold certificates under the Firearms Acts – in a negative way. Chief Constables are currently highlighting the amount of work they attribute to mental health issues, just as a few years ago they highlighted domestic incidents, and just as you could lose your certificate if police came to your house on a domestic callout, new statutory guidance – currently the subject of a consultation exercise – expands 'mental illness' and seeks to make a medical check-up a requirement for all of us.

Compulsory medicals are nothing – bus and coach drivers, lorry drivers and airline pilots are examples – but this is a first for taking part in a hobby. The other difference is that the Home Office aren't proposing a

standard form to guide your GP as to what information is required, as exists in other medicals: nor is the GP being asked to decide whether you're suitable for holding a certificate – that's a decision which will be taken by an untrained police clerk.

The Home Office describe the impact of the additional third of a million GP appointments that this will generate annually as 'negligible'. GPs can charge an unspecified fee for not filling in the form that is not provided and, of course, that leaves it wide open for the firearms clerk to reject the GP's efforts to comply with this Home Office policy as insufficient for completing the renewal: thus entitling you to pay for another visit to your GP.

The point seems to be that it's a new way to drive down certificate numbers. The obvious problem with this is that you require the certificate to *possess* your privately owned property. The Home Office policy is to deprive you permanently of your firearms in response to you suffering from a temporary condition that wouldn't get a policeman sacked. The medical conditions listed in the proposed draft are:

**Acute Stress Reaction or an acute reaction to the stress caused by a trauma; suicidal thoughts or self harm; depression or anxiety; dementia; mania, bipolar disorder or a psychotic illness; a personality disorder; a neurological condition:**

**for example, Multiple Sclerosis, Parkinson's or Huntington's diseases, or epilepsy; alcohol or drug abuse; and any other mental or physical condition which may affect the safe possession of firearms of shotguns.**

The level of mission creep from the Firearms Act to this list is immediately obvious. The Firearms Act reference to mental illness is 'unsound mind': that got into the Firearms Act 1968 by being carried forwards from the Firearms Act 1920 via the Firearms Act 1937. Parliament adopted the term in 1920 because it has a legal definition in mental health legislation.

According to Blackstone, 'A person of unsound mind is an adult who from infirmity of mind is incapable of managing himself or his affairs. The term, therefore, includes insane persons, idiots, and imbeciles.' These terms were all defined in mental health legislation current in 1920. They are all incurable medical diagnoses that require institutional care.

The Home Office draft guidance seeks the leakage of confidential patient information about other conditions that don't fall within the scope of the Firearms Act from GPs to police staff untrained in interpretation and unqualified in medical matters. In the properly set up medical system for drivers, GPs have to inform DVLA about relevant medical conditions, and at DVLA that information is considered by medically qualified people. The issue at this point is what is 'relevant'.

The current draft list includes temporary conditions, controllable and treatable conditions and physical conditions but doesn't mention any of the conditions Blackstone says the Act refers to. Some conditions mentioned will get your driving licence suspended. We've asked the Home Secretary which ones would get a policeman fired, since the intention of the guidance is that any of these conditions will terminate your firearm certificate we would not want any less harsh response dished out to those on the public payroll. If a condition is serious enough to prevent you indulging in your hobby we can't have policemen continuing to occupy the office of constable while suffering from those same conditions.

It is the case that some physical conditions preclude bus and lorry drivers remaining in those professions: missing limbs being a case in point, but those physical conditions don't prevent a sufferer driving smaller vehicles either professionally or for social and domestic reasons.

What's behind all this is the Home Office department 'responsible' for managing the shooting sports *and trade* in the UK. Back in 1985, when the old memorandum of guidance to police was being revised with a view to publication, we met officials and the two things that became clear were that the department's main brief was public order and the officials had no knowledge or interest in the subject of firearms. In his words, "I know nothing about the guts of guns," which

if fine because at that time firearms legislation was all about managing people.

It started to change after 1973 when the chief inspector of constabularies persuaded the Home Secretary to hijack control of the shooting sports from the Defence Council. Then they sought to redefine prohibited weapons *without telling anyone* by prosecuting registered firearms dealers. All the section 5 cases that have reached the High Court and Court of Appeal had registered dealers as defendants. It's an anomaly that registration doesn't cover trading in all firearms and an unholy coalition of the discredited and now defunct Forensic Science Service and policing sought to thin the trade out by exploiting that difference.

Every Firearms Act since our 1985 meeting with Home Office officials has been all about 'the guts of guns' – the subject of which those in charge professed ignorance. The Home Office department dealing with this latest guidance is the 'Serious Violence Unit' so people whose sole objective is to destroy it are managing your hobby. It's like putting buzzards in charge of pigeon flocks.

Policing got the task issuing firearm certificates in 1920 because they had the network of local stations where the public could make their applications. They also had the wherewithal to make the appropriate background checks: after all, the Firearms Act was introduced to

restrict the possession of firearms to friends of the government.

This new guidance really takes the gloves off the fact that processing any application for a certificate starts as a criminal investigation. There's a lot of racism in it – background checks through Interpol and such – all of which should have been sorted out before the applicant got right to remain in the UK. Financial backgrounds checks are also ladled in, so the chief constable might want your bank statements and a detailed account of where your money comes from before he'll consider you a low enough risk to issue your certificate.

The chief constable is the main problem in this process after the 'Serious Violence Unit', as he likewise has an agenda that doesn't promote hobbies, pastimes and sport. His policy is to reduce the private ownership of firearms to an absolute minimum. So with they and the Serious Violence Unit in charge, it's unlikely to get any better.

## **NEWS IN BRIEF**

### **SRA's PLI EXTENDED**

Our insurers have extended what's covered by the policy to include fishing and sea fishing from the shoreline: so your PLI now covers *"The amateur usage of any firearms, shotguns, air weapons, bows, hand launched weapons, tools and sporting implements for artificial target shooting: (including practical shotgun), with adequate devices for pest/vermin control: appropriate firearms and*



*ammunition for game, wildfowling and deerstalking, including coup de grace. The humane despatch of animals on or near public highways at the request of the police, RSPCA or National Trust and anywhere else at the request of the owner. Fishing and sea fishing from the shoreline.*

*The usage of any weapons - appropriately modified as necessary - for theatrical purposes, battle re-enactment, living history or airsoft skirmish. The scheme extends to include prospective members trialling artificial target shooting, archery and hand-launched device usage under the immediate supervision of a qualified member, but excluding the loading and firing of weapons and the use of weapons by the public in a battle re-enactment, combat or fight scenario.*

*Talks, lectures and demonstrations performed by members voluntarily or for a fee."*

### **ANOTHER CLUB CLOSED**

The Home Office issued a notice to the Aintree Pistol Club on 4<sup>th</sup> July withdrawing their Home Office approval (renewed last January), but also inviting them to reapply for it (at a cost of another £900) once they've corrected the defects outlined in their letter, which could have been done in half an hour if the defects complained of had been drawn to the club's attention as defects for correction.

But they seem to prefer causing significant nuisance and expense to the 250-member club by disrupting its lawful activities in this way. Meanwhile, the club's erstwhile

members are looking for other places to shoot.

### **3D Gun 'First' Conviction**

Tendai Muswere (26) of Pimlico, London, was arrested in October 2017 when police executed a drugs search warrant at his domicile. The search also turned up parts intended for a firearm that he admitted printing on his 3D printer. A further search of his address in February 2018 led to the discovery of components for another 3D printed gun.

Muswere manufactured the components of a homemade weapon "capable of firing a lethal shot," the Metropolitan Police said. The student pleaded guilty to manufacturing a firearm at Southwark Crown Court in July and will be sentenced in August – after we've gone to print.

Muswere told officers he was printing the firearm for a "dystopian" university film project and claimed not to be aware it was capable of firing. He later refused to comment on what his film project was about. Acting Detective Sergeant Jonathan Roberts, who led the investigation, said: "*We know that Muswere was planning to line the printed firearms with steel tubes in order to make a barrel capable of firing.*" Which seems to mean that it wasn't capable of firing when seized so it wasn't at that stage a firearm within the meaning of the Act.

Tendai Muswere pleaded guilty to manufacturing a firearm.

A review of his Internet search history revealed he had watched videos demonstrating how to use a 3D printer to manufacture guns to fire live ammunition.

The officer continued: *"This conviction, which I believe is the first of its kind relating to the use of a 3D printer to produce a firearm, has prevented a viable gun from getting into the hand of criminals."*

Police also found cannabis plants and evidence of cannabis cultivation at Muswere's home, so presumably he's the criminal the police prevented getting this gun.

'Viable' is a recent development in firearms cases. It's interesting that this 3D print is described as 'viable' without the barrels having been lined and without the prosecution having test-fired it. Most Crown Court convictions are now reached without a trial (see the Secret Barrister review elsewhere in this issue) and since most people are now not eligible for legal aid, more and more untested assertions that this or that is a firearm are leading to convictions.

### **Negligent Homicide**

As reported by Sarah Marsh in the Guardian, 2 July 2019

Albert Grannon (78) checked his FAC rated air rifle wasn't loaded at his home in Sproatley, east Yorkshire on 26 July 2018 by pointing it at his six-year-old great grandson and pulling the trigger. Stanley Metcalf reacted by shouting, "you shot me, Granddad" before passing out. Mr Grannon told police that the pellet must have

ricocheted as he checked the weapon, but analysis showed the shot went directly into the abdomen of the boy. Defence counsel Paul Genney said Grannon now accepted that he had pointed the gun at Stanley as he squeezed the trigger to check it was not loaded, "but not, of course, deliberately".

At an earlier hearing, Grannon admitted to manslaughter and possessing an adapted air rifle without a firearms certificate. John Elvidge QC, prosecuting, told the court the incident occurred at a family gathering at the defendant's home, which was held annually to mark the death of one of his sons 16 years ago.

Elvidge said Stanley asked to see the air rifle and went inside with his great-grandfather. Family members then heard a loud bang and the youngster shout. The prosecutor said the defendant had a habit of keeping the rifle loaded in a cupboard to shoot vermin. The weapon needed a firearms certificate but he did not apply because he thought he would not get one due to disabilities: neural faeces presumably being one of them. Mr Justice Lavender gaoled Grannon for three years. He'd expressed no remorse and family members said that if he did it would be "too little, too late."

A negligent discharge is an occasional possibility for all of us, hence the rigorous training on every course and at every shooting club to keep firearms pointed in a safe

direction at all times: training Mr Grannon probably never had. At 78, he probably just missed national service and was a teenager in the generation that bewildered Parliament by taking drugs recreationally. Manslaughter - by gross negligence - was the only possible outcome given the facts in this case. There are fatal accidents in the shooting community, but this could not by any stretch be considered one of them: and as a crime falls outside any public liability insurance he might have had.

### **Colorado 'Red Flag' law**

The fifteenth State to adopt such a law, Colorado's red flag legislation got onto the statute book in April and the news penetrated the BBC bubble on 12 June. The principle of red flag legislation is that firearms can be seized by court order from people thought to pose a danger on the petition of interested third parties - family members, co-workers, law enforcement etc. by way of civil process for up to a year with the onus reverting to the loser to establish that he's no longer a threat to anyone in order to get them back.

Democratic governor Jared Polis signed the bill into law. One of its sponsors was Democratic representative Tom Sullivan, whose son Alex (27) was killed in the 2012 Aurora theatre massacre. The law is named after Douglas County Sheriff's deputy Zachary Parrish III (29) who was killed on New Year's Eve 2017. He tried to reason his way into an

Emotionally Disturbed Person's (EDP) home during the hours of darkness and when the suspect didn't co-operate with police they smashed the door in - just the sort of behaviour that will help him calm down - except he didn't and both he and Zachary Parrish III - the first officer in through the smashed door were killed in the shootout.

In a society with guns, the chances of them being used for criminal purposes or spontaneously are naturally higher than in a society that doesn't have them. As observers from a long distance we note that a lot of reported shootings occur where unauthorised access has been obtained to the weapons.

The law landed twenty years after the Columbine school shooting, which is a serious emotional scar on the Colorado landscape and was perpetrated by teenagers with guns that weren't theirs.

In his book "Another Day in the Death of America", Gary Younge reports on media reports on the deaths of ten young people in eight states in a 24-hour period: the fiftieth anniversary of The murder of John F Kennedy in Dallas, Texas on 22<sup>nd</sup> November 1963. Reading his book, its noticeable how different things might have been if American grown ups either gun-proofed their kids or kept them and their guns separate from each other. Security and training: the two would



make an enormous difference to American lives. Ω

### **The Welrod Pistol** **THEN & NOW**



The demands of warfare are many, some of which are highly specialised. One such is being able to dispatch an enemy without drawing attention to your activity, in other words, a silent killer.

The immediate choices for such work are clubs, knives and garrottes, as used by all sides in Great War trench invasions. The problem with all of the above is that their use in a populated area, such as a bar or cinema, is unlikely to go unnoticed. Throttling an opponent takes time, during which he is likely to make a scene, and developing enough thrust to knife or cudgel your target takes physical space and may involve a high degree of gore. Another issue is the distance to your victim. The use of sharp and blunt implements means getting close enough to touch your 'mark' and applying a garrotte brings you within kissing distance. Whilst possible on a target who is permanently looking away from you, such as in a cinema, sentries are a bit more aware of their surroundings. Bows have the potential for shenanigans outdoors, but unwieldy

within, so that leaves a suppressed, or, if possible, silenced pistol.

In World War II, the British solution to this anti-social problem was an instant classic: the Welrod.

Looking like a mildly steam-punked bicycle pump, its name comes partly from the American Prohibition-era slang for a handgun, viz. a 'rod', and its place of origin, the research laboratories at Welwyn Garden City, Station IX.

It is a bolt-action pistol, whose magazine doubled as its grip, making it easier to conceal when unloaded.

At the time of the Welrod's development, the choice of calibre was limited to those for which box magazines were available. Firearms design usually works cartridge up: choose or design the ammunition and then design a vehicle for it. In early WW2, the commercially available magazines were .25"ACP, .32" ACP, .380" (9mm short) and .38"ACP.

British forces used revolvers in .455" and .380" rimmed, neither of which would feed from any available magazine. Although potentially lethal, according to A G Banks who reckoned it was an adequate sniper round to 300 yards, the .22 was too weak to guarantee a one-shot stop, and having your intended victim yelling "Ow!" would be counter-productive. And there wasn't a box magazine available for it. Being both massive and sub-sonic, the .45 was ideal, but it was uniquely American, making it hard to come by. M1911 pistols were commercially available in the UK, but more commonly in .38ACP and while

Britain had bought Thompson submachine guns, all the ammunition had to be imported. 9mm tended to err on the high-end of velocity and supersonic on departure, at 1,100 feet a second in the case of the Mk1Z, but it was readily available, as production had commenced in the UK in December 1941. The 'crack' made by a bullet leaving a barrel above the speed of sound might not only give away the game, but also the firer's location. Despite this, the Mark I versions were in 9mm because those rounds would feed from the commercially available Colt .38ACP magazines. Concerns over the weapon's acoustic signature resulted in a Mark II in .32 calibre. Following complaints about the lack of lethality in the .32 version makers' returned to the original calibre, a.k.a., Mark IIA.

The user's manual indicates that the pistol is at its quietest when in contact with the victim – i.e. using his head as the secondary gas expansion chamber. The .32ACP is 7.65mm in decimal-speak and as an automatic pistol cartridge it served in police and self-defence usage from its inception in 1900 for over 70 years before being fully superseded by 9mm. Both cartridges were widely used by German forces and were thus easier to come by in Occupied Europe than any other possible choice Major Reeves might have considered.

The .32's perceived lack of lethality in the Welrod tests is probably to do with how much velocity it lost going through the series of 'wipes' in the silencer. It didn't attract criticism as

underpowered in general use until American gunmakers started producing pistols in 9mm in the 1950s and while Marshall & Sanow planned on ignoring it in their 1992 book 'Handgun Stopping Power' they received so many reports of its effective use that they had to include it in their review.

As well as having its action operated by the user, the Welrod achieved near-complete silence by having a series of metal baffles and rubber 'wipes' within its elongated barrel shroud. These wipes were not designed for intensive use, but one would hope not to have to neutralise too many opponents at a time. Although ideal for the removal of sentries, its primary use was as an assassination weapon. Exact numbers of those meeting their Maker via the Welrod are unknown, but it no doubt earned its keep.

The other benefit of a silencer, same as on a motor vehicle, is it



protects the firer's hearing. Noise can cause a temporary reduction in hearing ability, same as a flash reduces night vision for a while. This wasn't a consideration in the war, but the advantages of (a) protecting one's hearing and (b) doing that on the gun rather than one's head came into focus later in the 20<sup>th</sup> century.

The planned widespread supply of assassination weapons to clandestine

groups in Occupied Europe were shelved when the consequences for the population of the murder of Reinhard Heydrich in Operation Anthropoid became known – some 13,000 people arrested: 5,000 reprisal murders and the village of Lidice rubbed off the map.

After serving with extreme discretion in the Second World War, the Welrod found a home in the armouries of Special Forces in the UK and elsewhere, because, quite simply, it was in a league of its own. Its usage is still classified, but it is safe to assume it remained in service up to the first Gulf War. Eventually, however, even this stalwart became a victim to Time's Winged Chariot.

The Welrod may have retired, but the need to occasionally 'delete' someone from the game of life remains, so what replaced such a unique performer?

### **Enter the Brugger & Thomet VP 9.**

Although the two pistols are mechanically identical, their finish could not be more distinct. Whereas the Welrod looks homemade by someone who is not especially house-proud, the VP 9 clearly shows its 'bespoke' nature.

We suspect the marketing executives at B&T had a pretty free hand when it came to labelling this product since the VP supposedly stands for Veterinarians' Pistol. Vets? Really? How many 'vets' are likely to need a magazine-fed handgun capable of dismantling into two parts concealable within the sleeves of a sports coat?

Like the Mark IIA Welrod, the VP 9 is in 9mm calibre, and according to the makers, holes drilled into its very short barrel mean that it can suppress even standard 9mm ammunition, although it makes sense to use subsonic flavours where available.

The VP 9 comes in a most impressive 'presentation' case, which includes a spare magazine, cleaning tools, and two suppressors. One suppressor, designated for training, consists of expansion chambers separated by metal baffles. The other one includes a series of rubber wipes to allow the bullet to pass but trapping any smoke generated by the discharge. Replacement baffles come with the case and the makers recommend replacing the baffles after 30 shots.

Another accessory is a ring sporting a Picatinny mount. This allows the user to attach a flashlight, laser, or other optical sights.

Comparisons between the two are difficult because few Welrods exist 'in the wild', and those with one are unlikely to advertise. In terms of acoustics, especially when using subsonic ammunition, there is little to choose since both use a similar mixture of metal and rubber baffles. Thanks to better grip ergonomics and the Welrod's trigger, once described as: 'more miss than hit,' the VP should be the more accurate. A member of the B&T sales team claimed it should hit a target the size of a tennis ball at 10 metres. This is not great; a suppressed conventional pistol should hit a similar-sized target at twice that



distance. The reason for the lack of performance is due to the bullets squeezing through the wipes. One way to extract more accuracy from the VP would be to add a front sight to the suppressor, which would more than double its sight radius. On that point at least, the Welrod had the edge.

Humane slaughter – the coup de grace – is not solely the province of Vets. Deerstalkers and wild boar hunters may have occasion to finish off a wounded animal at short range when it's not safe to use their hunting rifles: at that point a pistol comes into focus as ideal. It's been compulsory to take one hunting in Germany for decades, while in the UK both silencers and handguns for deerstalkers were involved in running battles with the Home Office before being grudgingly accepted.

Silencers made it following a European Court ruling. Handguns got in via an exemption from prohibition in the 1997 Firearms (Amendment) Act. Since then all the battles have involved the police interfering with the exemption in the Act with ultra vires conditions obliging vendors to apply after-market restrictions to the guns and then prosecuting owners for owning them if the modifications are perceived as inadequate.

In conclusion, the VP9, like its predecessor, is a tool for a very specific set of circumstances. Unless and until something like a directed energy weapon becomes not merely portable but concealable, like the Welrod, it is likely to be around for a very long time. Ω

### **Anthony Grainger Shooting Public Inquiry Report Published**

Anthony Grainger was shot dead by Greater Manchester Police Officer 'Q9' on 3 March 2012 in Operation Shire, during the course of police arresting him and two passengers in the stolen Audi car he'd parked shortly before police approached them.

The fatal shooting of any citizen is of interest to us because policing treats firearm and shot gun certificate holders and registered firearms dealers as target criminals and any investigation of any of us can lead to improperly briefed policemen opening fire in the 'honestly' held belief that their lives are in immediate jeopardy while in the process of rousting someone who is trying to act lawfully by having all the correct documentation for their hobby or business.

That's because policing doesn't currently recognise possession of certificates as 'acting lawfully': it's regarded as gaining access to firearms through a loophole in the law and much of the policing of people engaged in the shooting sports we've encountered in the past decade or two is directed at closing the loophole by eliminating the people exploiting it. In effect, trawling through the transactions of a business or the collection of a hobbyist looking for something to justify doing so.

Examples include Guy Savage: on his way to work one morning when the Metropolitan Police shot his tyres out. Then they spent the rest of the week dismantling his multi-million

pound business. He has never been charged with anything. A hundred or so policeman landed on Prime Firearms in Essex, shutting him down by carting off all his stock. He was acquitted of subsequent charges relating to possessing antiques, but not before two years on bail without access to his lawful trade had lost him his £3 million home.

The Anthony Grainger shooting in 2012 was followed by a succession of court cases and reports;

- The surviving two passengers in the car – David Totton and Joseph Travers were charged along with Robert Rimmer with conspiracy to rob. In September 2012, they offered to admit to conspiring to steal cars. The prosecution rejected that offer and proceeded to trial on the original charge, leading to the acquittal of all three men.
- The IPCC ('Independent' Police Complaints Commission – since disbanded) produced its final investigation report in June 2013.
- Arising from that, Sir Peter Fahy (in his capacity as Chief Constable of Greater Manchester Police) was prosecuted for an alleged offence contrary to the Health and Safety at Work etc. Act 1974, arising out of the Force's planning and conduct of the armed operation.
- In January 2015, the judge in the case against Sir Peter Fahy ruled that there could not be a fair

trial without disclosure to the defence of certain material that was subject to a public interest immunity claim. As a result, the prosecution elected to offer no evidence against Sir Peter Fahy and invited the court to direct his acquittal.

- The inquest that had been opened in 2015 ran into the same public interest immunity problem, as had the Sir Peter Fahy trial. The solution was for the Home Secretary (Theresa May at the time) to make it into a public inquiry in 2016, led by his Honour Judge Teague QC. His public inquiry report, from which much of this article is cribbed, was published in July 2019 as "the Anthony Grainger Inquiry: Report into the Death of Anthony Grainger - Chairman: His Honour Judge Teague QC".

The late Anthony Grainger inserted himself onto Operation Shire's radar in January 2012 after surveillance officers saw him in the company of David Totton. 'Shire' was monitoring the activities of Messrs Totton and others through a combination of conventional surveillance (sometimes with mobile armed support) and the use of vehicle tracking devices; suspecting them of being an organized crime group based in Salford. Mr Totton is described as a professional criminal of considerable notoriety who, many years earlier, had survived an attempted assassination in the Brass Handles public house in Salford,

during the course of which his two assailants were shot dead.

Instead of obtaining a bespoke intelligence profile of Mr Grainger, the investigation team adopted an existing profile that had originally been prepared for an unrelated investigation of a different nature. That profile, which Operation Shire's investigators did not verify or develop, contained serious inaccuracies, presenting a distorted and, in some respects, exaggerated picture of the threat Mr Grainger presented. Mr Grainger had a history of dishonesty and vehicle crime, but no convictions for violence or robbery. In the pre-deployment briefings, senior officers overstated Mr Grainger's past criminal history, particularly in relation to violence and firearms, thereby presenting the AFOs (Authorized Firearms Officers) with a distorted and, in some respects, exaggerated impression of the threat he presented.

By Friday 2 March 2012, Operation Shire's Senior Investigating Officer was in possession of intelligence which, in conjunction with his team's own observations, led him to conclude that Messrs Totton, Grainger and Rimmer were planning to commit an armed robbery in Culcheth, a dormitory village in Cheshire surrounded by Manchester, Bolton, Wigan St Helens and Warrington. Anticipating that the robbery might take place the next day, he set up a surveillance operation and secured the assistance of a Mobile Armed

Support to Surveillance ("MASTS") team of firearms officers.

On Saturday 3 March Anthony Grainger drove Messrs Totton and Rimmer to Culcheth in the stolen Audi for the fifth time. He reversed into a corner space commanding a view of the entire car park, as well as of some nearby commercial buildings: much as he had done daily for the past week: so not a position in which they could be subjected to a surprise attack.

Shortly after 7 p.m. – so just over an hour after sunset – firearms commanders in charge of the MASTS team decided to arrest the men in the Audi. It was during that operation that an officer known as "Q9" discharged a single round from his carbine through the Audi's windscreen, hitting Mr Grainger in the chest and killing him.

Q9 was in the offside rear seat of the Alpha car, which parked across the front of the stolen Audi, thus blocking its driver in his seat. The fatal shot was fired within seconds of the Alpha vehicle stopping.

Police involved in Operation Shire hadn't figured out any legitimate reason for the five successive visits to Culcheth. On no occasion were any of the men seen to get out of the car. Their working assumption was of preparation for serious criminal enterprise of some kind.

After the shooting and arrests, the three men in the Audi were found to have been wearing gloves, and two of them were wearing hats that could be rolled down to form face masks; investigators later recovered a third hat from the car's front footwell. No



firearms or other weapons were found at the scene or in subsequent searches of the men's homes.

The circumstantial evidence of intended nefarious activity was sufficient for the men to try pleading to a lesser charge than robbery (maximum penalty of life imprisonment) and the absence of any real evidence is why they were acquitted.

On 27 June 2013, the IPCC produced its Final Investigation Report. In summary, it concluded that there had been serious organizational failings in the use and briefing of intelligence to firearms officers and in the development of operation-specific firearms tactics, as well as individual failings by certain officers (including Q9) in their decisions to use force. The report also found that some of the decision-making in respect of planning tactics, options and use of force had been "formulaic" and "suggestive of a predetermination to use MASTS combined with Hatton [i.e. tyre-breaching] rounds and CS dispersal canisters".

The firearms commanders who authorised and planned the armed deployment of 3 March 2012 held an unorthodox and fundamentally flawed view of MASTS, treating it less as a means of deploying firearms officers in support of a surveillance operation and more as a means of deploying surveillance officers in support of a firearms operation: the predetermined purpose of which was to carry out arrests.

The basic problem is one of the

decision making process not being on the ground where it's happening. A problem Tony Long refers to in his book: operational decisions being made remotely from view of the developing situation. Stepping back for a moment, the police use of firearms is them exercising their common law rights (and obligations) to defend life, liberty and property.

Taking guns in their capacity as remote-control labour-saving devices to a potential crime scene to effect arrests by heading off the potential arrestees' determination to resist at the planning stage is right on the edge of what is defensive. When it goes right, a firearms deployment prevents a breach of the peace: but going right is the only successful outcome – there's plenty of alternative scenarios in which it won't end well, and Anthony Grainger's demise was one of them.

The use of 'less than lethal' weapons doesn't count in Home Office newspeak as policemen using firearms (when it's a firearm launching a projectile) and the use of most options in this category is necessarily offensive, but better described as pre-emptive. Hatton rounds are a shotgun-launched derivative of gallery ammunition, intended to deflate a car tyre. The projectile, like the iron filings and glue bullets on .22" gallery ammunition, lose all their energy and form on initial impact. There are variations for shooting locks and hinges off doors.

Other 'less than lethal' options include irritant sprays, electrical

TASERs, batons for disrupting the suspect's day and spike strips for deflating a moving car's tyres.

On 3 March 2012, the location of the car was such that sneaking up on it was not an option. Sunset was at 17.53, so about an hour and a quarter before the shooting. Officer Q9 in Judge Teague's words, "discharged his weapon in the erroneous but honestly held belief that Mr Grainger was reaching for a firearm with which he intended to open fire on Q9's colleagues. In fact, Mr Grainger was probably reaching for the driver's door handle in order to get out of the stolen Audi."

There's a lot in the report as to how officer Q9 reached the conclusion that an unarmed man with no history of violence of any description was about to open fire on him. The bottom line, which isn't in the report, is that is what happens in training scenarios. If you hesitate about opening fire the character on the video you're facing will shoot first.

So whatever errors in the intelligence, the briefings and the scuttlebutt get into the officer's thinking, that all reinforces his training in which hesitancy is failure. And that's a problem for us all, since any one of us could be next. **Ω**

### **SPREE KILLERS (AND OTHERS) A RETROSPECTIVE**

We noticed this piece, which came from New Zealand via the Internet: *'Firearm licence applicants are being checked for shaven heads, Nazi symbolism and camouflage clothes*

*after the March 15 terror attack. Police have been issued a new directive informing vetting staff to be wary of the "extreme right", which includes white supremacy and far right ideology. Signifiers of the extreme right include tattoos, Celtic or Norse symbolism, books on the Third Reich, confederate flags, and references to Norway mass-shooter Anders Breivik. White supremacist groups National Front and Right Wing Resistance were among those listed in the email sent to firearm vetters. The directive comes as police monitor a list of more than 100 people including white supremacists, Muslim converts and people left disgruntled by the Christchurch terror attack.'*

And that set us wondering about what clues there might actually be that someone will do wrong. The NZ piece rattles off the current favourite stereotypes: camouflage clothing, tattoos, shaved heads. All of which are readily available in any British army regiment. In Britain, policing has focussed far more on health as a ground for weeding people out of the system. That said, Blair Grindle failed in an appeal to get his firearm certificate back sixteen years after he was revoked for having a sound moderator that wasn't on his certificate – the police had earlier taken it off – because he had a German flag on display in his home when a policeman visited.

He said it was a souvenir his father brought back from the war, that he was airing and letting the creases ease before offering it for sale: but he also

had other Third Reich material in his book and record collections. Neither the police nor the court offered any clue as to how long a time out is needed to rehabilitate him or from what.

In Scotland, our representative is awaiting his firearm certificate appeal: he was acquitted of causing someone alarm by presenting an illustrated, technical case about Home Office double standards on firearm classification and then convicted of possessing air weapons without a certificate after police failed to process his firearm certificate renewal application by the due date: or at all.

Evidence against him includes his shaved head (he has bothered less as his hairline receded), his acting furtively in a public park – probably in camouflage clothing (he's a keen wildlife photographer) and his repeated attempts to get politicians to engage with the issues he raises on behalf of our membership. You couldn't make it up.

Meanwhile, the real indicators of someone's suitability to possess firearms safely are to be found within their peer group. Prior to the Home Office hijacking section 5 from the Defence Council and the police taking charge of who could have a firearm certificate, the way to get one was through joining a club. Clubs were social entities and one had to fit in socially with the existing members to be accepted.

That caused problems from time to time: people fall out with each other in clubs, just as they do at work or in a

relationship and the 'divorce' proceedings when someone has failed the club character test can be very acrimonious. But only rarely did such distractions raise concerns about someone's safety. In any shooting club, you'll be in the presence of people who have loaded guns and no club is going to keep a member with whom the others don't feel safe.

Times change; commercial clubs were more in the nature of shooting galleries where the social side of club membership was either neglected or just never blossomed. Since the police were making the decisions about who could have a certificate, the club's input about suitability diminished to the point under Tony Blair's administration in the 90s that club members and RFDs couldn't act as referees on FAC applications.

The rather cynical assumption of the Home Office at that time was that an RFD would sign anything to get a sale, while psychologically the opposite was the case. Nobody in the trade or the clubs wants anybody who is potentially dangerous having a gun or standing in their shop for more than a few seconds.

One can see the change taking place by reference to the spree killings that have cost the rest of us so much. Michael Ryan joined the commercial Tunnel Club in 1987 which got him a 'good reason' for buying the Norinco type 56 and a Beretta 92F that he used for the murders. He already had a firearm certificate through having joined another club and he sold the .22" pistol he used there to buy the



ammunition for the full-bore firearms.

Each firearm requires police approval for the variation to acquire it and that was largely a tick-box check. Yes, he had secure storage, the club range was approved for the ammunition types used in the firearms he wanted and that was it. Club officials were not being asked their opinion of the member or his intended purchases, like which competitions is he training for?

The Tunnel Club had no concerns about Michael Ryan, rare visitor that he was. People hardly knew him. The SRA had two cases out of the Tunnel Club's concerns about people who did concern them. One chap went in to buy a magazine for a pistol and behaved so suspiciously Mr Barnard thought he was up to no good and phoned the chap's number plate through to the police.

A subsequent visit to the young man's home turned up an off-ticket pistol without a magazine with which he was charged. He was charged with other matters as well, most of which had to be dropped as the 'evidence' didn't support them. His .32" ammunition amounted to shot shells and his prohibited weapons were correctly converted to shotguns and held on a certificate, but it was Andy Barnard pointing the finger at a suspicious person that turned up the off-ticket Victorian pocket pistol.

The other was the late Joss Thompson. A railway driver by occupation, Joss had served five years in the territorial reserve and sought access to shooting for a hobby after he

left the TA. He struggled to find a local club in Sussex and went to the Tunnel Club in Wiltshire where Andy Barnard accepted him as a member primarily to keep an eye on him.

Sussex granted him certificates, but with the caveat that he kept his guns at the club: a case of both club and police firearms management wanting to keep track of his behaviour. That condition came off at first renewal and so did the brakes: Joss was an eclectic collector with a foot in most camps. He had 19 smooth-bored military longarms on his shot gun certificate by the time such became prohibited by the Firearms (Amendment) Act 1988.

He took them to Belgium in preference to handing them in or deactivating them. That seemed silly to the rest of us, as the Belgian scheme was for keeping rifles in that country and using them on the ranges at Léopoldville. And on ranges hundreds of metres long, a Lewis gun in .410" musket just won't do much.

His collection soon recovered from the loss. He had most marks of Lee Enfield, every mark of Martini Henry, numerous handguns and quite a few reproduction muzzle loaders – flint and caplocks, a pair of target pistols and some cap and ball revolvers: all a bit curious, as he never had a black powder licence. Then there was his big game rifle in .458" Win Mag, several hunting rifles, a Marlin 30-30 and a Winchester 1886 in 45/70.

He did quite a bit of shooting, although overall he'd probably used

less than half his guns at all and quite a few just once. He won the HBSA (Historic Breechloading Smallarms Association) trophy for best score with a classic in the SRA's 1,000-yard shoot at Diggle using a Lee Metford rifle with nitro ammunition. He also won the South London Rifle Club sniper trophy one year with his No4 (T) – and lost badly the next year through using cheap HXP69 ammunition. Intended for giving a bit of spray from a machine gun, HXP69 bullets were a thou undersized and that cut his score down from 48 ex 50 one year to 19 ex 50 the next.

The South London Rifle Club meeting became his home from home. He trawled their catalogue of events searching for competitions to enter with firearms he wanted to acquire. Just to explain; rifle and pistol competitions match the firearms so that like competes with like: he needed his 1911 Luger to compete with other early Lugers that didn't have the facility on the back strap for sitting a shoulder stock. Then he needed two broomhandle Mausers with shoulder stocks for the 7.62 and 9mm events and so on.

Applications for variations arrived in Sussex with the good reason being 'match 85', 'match 99' and so forth causing them to wonder how many hands he had. And where was his money coming from? Shooting is generally an expensive hobby and we all cut our coat from the available cloth. In Joss's case, his disposable income was his entire net earnings. He contributed nothing to the household

budget and used his Mum's 3-litre Ford Capri to get around.

The house was jammed with stuff he'd bought or persuaded mother to buy, ranging from a full-sized billiard table to a full size suit of armour (tacky Victorian repro), bayonets for every rifle, swords, uniforms and costumes. Nobody thought of him as dangerous, but rather as an irritating plonker. We thought he'd have been happier and more comfortable in re-enactment, but that wasn't then (1990) what it is now.

The police decided to have a good look at him and in talking to the clubs, the people he shot with and others who'd encountered him, built up a picture of a seventeen-stone tantrum-prone nine-year-old living with (and off) his widowed mother, whom he treated like dirt. They decided to shut him down and went to the railway station to detain him as he alighted from his footplate.

Then they took him home to witness them clearing his entire collection, using his face as one would in the parlour game 'hunt the thimble' to see when they were getting close to something that worried him.

And bingo! A desk drawer he spent ages claiming he couldn't find the key for had an off-ticket Savage .32" pistol in it. He wasn't charged with that, but his certificates were revoked. A close look at all the stuff seized turned up a replica revolver that someone had tried to bore the barrel through – the evidence being the broken twist bit still stuck in it – poorly made

ammunition and a rather weird hand-written journal about his collection.

At this point, what the police thought about him and what we thought diverge somewhat. The police had enough on him, they thought, to cancel his shooting hobby and that's what they did. We saw a slightly eccentric guy holding down a responsible job and his Mum letting his hobby extend beyond his means and a long way into hers. We hadn't seen any of the behaviour other people reported – kicking his car when it wouldn't start (Basil Fawlty style) – throwing a gun down after it misfired and such, but we did have concerns about his behaviour towards his mother, which she dismissed.

We thought that kicking him out his hobby would amount to serious social deprivation and clearly his efforts to act like a grown up in the social intercourse that makes up so much of club life were controlling his behaviour most of the time. That said, enough responsible and diligent club officials had had enough of him and everybody in a position of responsibility in a club is at risk of being similarly looked at if they disagree with the police view.

Joss couldn't raise any great measure of character witness support for his appeal and was advised to abandon it. He went through the appeal and lost. The railway fired him for bringing them into disrepute by wearing their uniform to court and thereafter he changed to a new hobby with his mum's money – flying private aircraft.

If his shooting career hadn't ended when it did it would probably have ended in tears sometime later. We don't think the police saved any lives by kicking him out of shooting. The fundamental problem was that he'd become socially unacceptable to the peer group he wanted to belong to and in the old days would have been drummed out by the clubs. It was the police taking over deciding who could be a shooter and who not that made his career last longer.

We've taken sometime to look at Joss and his behaviour because the lesson to be drawn from it is that the police struggled to get rid of him as the only line he'd crossed was by having that naff Edwardian pistol in his desk. They couldn't charge him with that because the 'antique' defence would probably have worked and then they'd have had nothing.

The clubs no longer had the social power to get him out of the shooting sports and this can be seen in action when we look at our next spree killer – the Dunblane murderer Thomas Hamilton. He'd joined a shooting club in the mid 70s and was never particularly active in it. He spent more of his time on his boys' clubs and such.

On the day of his murders, we looked up the postcode for Dunblane and then started phoning around our members in the area. By the end of the day, we'd spoken with quite a few people who told us a lot about him. In summary, he's belonged to a club at Bridge of Allen, which had closed. He'd put a lot of effort into joining the Calendar club about a year earlier – so

late 1994 into early 1995 – and the club didn't want him because of his baggage.

His rucks with authority about his boys' club were well known, as was he. He was simply socially unacceptable to Calendar and didn't get in there. Then the pressure ceased and they heard no more of him until the murders. It turns out that the police renewed his certificate early in 1995 anyway *without his being in a club*. The correct form in such circumstances would have been to put his firearms onto a section 7 permit – which would prevent him acquiring ammunition – until he'd got the club sorted out.

As with Michael Ryan and Joss Thompson, Thomas Hamilton had his certificate from the police. We doubt that Michael Ryan would have had one had he been subjected to the full rigours of club probationary membership. He'd probably have failed the social test and wouldn't have stayed in the club long enough to get full membership.

In our Welsh club in the same time frame less than one person in eight who joined as a probationary member went on to get a firearm certificate. Most dropped out because it wasn't for them: a few because they couldn't fit in socially.

Joss avoided censure at one club (at least) by moving on: learning from his mistakes he wasn't a problem at Bisley, but they did return to haunt him in his over-enthusiasm for building up a bigger collection than

police policy can stand on personal certificates.

Thomas Hamilton slipped through the cracks despite the best efforts of the clubs to keep him out. As with Joss, nobody thought of him as dangerous, just socially inadequate: his Pied Piper style exit from life revenge for social and political slights that had nothing to do with the shooting sports or clubs.

Our most recent spree killer was Derrick Bird in Whitehaven, Cumbria in 2011. We started our phone-around when we heard of it and within the day had spoken to several people who knew him, one of whom had been shot at – or more accurately, near. The consensus of what they said was that nobody knew him for a shooter. He wasn't in the local club: local dealers had never heard of him and shooters we spoke to who knew him didn't know he held a certificate.

So it wasn't clear to us that he did until police later confirmed it. And that was interesting; they were the only ones who knew that he had guns because they'd supplied him with the certificates. Why they did that, what his good reasons were and who provided references kinda disappeared under the media storm that yet another certificate holder had run amok. The media blames the 'easy access to firearms' without considering who is dishing the certificates out. We blame the killers for their actions: nobody made them do it.

None of the three UK spree killers had a shaved head (two were balding).

Published photos shows Michael Ryan wearing a camouflage hat and none of them have tattoos on display. They weren't white supremacists or Muslim converts. What they appear to have in common is loneliness, some social inadequacy in one form or another were all victims of bullying in its broadest sense. As to which of these conditions, if any, serves as notice of forthcoming trouble, we can but guess.

But instead of doing that we'll turn back to the late Joss Thompson. He lost his firearm certificate appeal and his job. He sought a new job as a heavy goods vehicle driver and a new hobby as a private pilot.

One of our informants was a police officer who'd met Joss at the Tunnel club twice. On the first occasion, Joss became aware of his status in the Job and berated him about police misconduct in public office. A month later, and suitably disguised by the simple act of having shaved his beard off he met Joss again, who on the second occasion told him of the policeman he'd met there the month before, what was wrong with him and his calling.

Joss could run off at the mouth like that and did the same again: this time to a doctor. Not just any doctor, it was the one he went to for his good vehicle medical. He berated this chap about the inadequacies of his profession and the sort of rubbish colleagues he had in it. Joss had a bad experience of his medical for the private pilot's licence and didn't realise that the doctor who failed him for that was the one he was

talking to in the HGV medical he was about to fail.

The overall effect was that Joss didn't pursue a life on the open road for an income. He didn't need to anyway as he had a private income in his mother's pensions. He did run up several hundred hours flying but had failed to make the cut for suitability to go solo. He visited his firearms occasionally, authorising the sale of some to meet the costs of keeping the good stuff in storage.

He attended occasional club shoots and made videos about his collection. Had he lived he could have put them on you tube and amused the rest of us but matters came to a head when he wanted to use his D Day commemorative 'Colt' .45 automatic on the range. Made as a real firearm by Auto Ordnance, it had gold highlights and no proof marks. Joss got one shot out of it. The recoil shook the magazine clear of the grip, the locking catch flew one way and the spring the other. Then the gun took off downrange - that being the direction Joss threw it in before he stormed out.

The range officer ordered him off the site and told us what had happened later. We sent him a 'Dear Joss' letter barring him from the club and he responded by instructing an RFD to remove his collection from us. In that written instruction he indicated that he would kill any police officer who interfered with his collection. The dealer disclosed that to Sussex Police, who swept Joss up in a rolling roadblock and cleared his mum's house, again.



He wasn't charged with anything but landed in a mental health facility for the next five years. When he got out he found a block of flats on the site of his mum's house. They were reunited sometime later and we had sightings of Joss enthusiastically buying up de-activated firearms at every opportunity while working as a short order chef in a pizza parlour. We heard he'd died and think that a surfeit of pizza might have been the culprit.

It's easy to think of him as bitter and twisted about the police ransacking his house and taking his toys away; and his attitude deteriorating into making threats to kill after being denied access to his stuff at the club: but the policeman who reported his very negative attitude to policing met Joss at the Tunnel Club when Joss had a full firearm certificate and the certificate administration leaning over backwards to let him have everything he wanted.

Shooters are necessarily ambivalent about policing: not knowing what might happen next. Guy Savage was chairman of the Metropolitan Police firearms liaison group until the FBI wanted a word with him; and instead of phoning him up and inviting him in for a meeting, they ambushed him in the street firing Hatton rounds into his tyres to deflate them. Firing Hatton rounds in a public street doesn't count statistically as

police using their firearms; Guy will be pleased to hear.

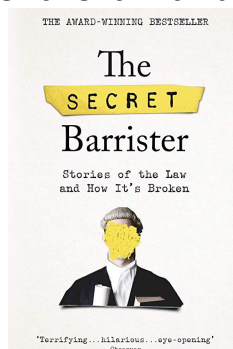
At the time of writing we've just heard that another club has been closed following a police raid. The latest speakeasy to be hit was the Aintree Pistol Club leaving 250 people looking for a new club to shoot at (or should that be 'with?'). The 4<sup>th</sup> July withdrawing their Home Office approval (renewed last January) also invites them to reapply for it (at a cost of another £900) once they've corrected the defects outlined in their letter, which could have been done in half an hour if the defects complained of had been drawn to the club's attention *in situ*.

Policing has long used those trying to act lawfully as a pool from which to pluck evidence of misdeeds to bolster their firearms 'crime' statistics and thus to diminish the pool of potential miscreants for next time.

Treating everyone who is trying to act lawfully in pursuit of their shooting hobby as a target criminal makes co-operation unachievable. With a proper attitude from a proper licensing authority and club officials doing their proper jobs to protect the sport, the spree killers wouldn't have gotten into the system and flakes would have been eradicated sooner. Then all we'd have to worry about is why .303 ammunition head stamped HXP69 isn't accurate, why

thunderbolt .22” is so cheap and what’s really going on at Bisley. Ω

## **The Secret Barrister Stories of the law and how it’s**



**broken**

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‘Broken’ in this double entendre means too damaged to be fit for purpose: followed by a catalogue of examples in this rant book. We’ve let ‘the secret barrister’ write a lot of this review: direct quotes from his or her book are in italics. Our links, comments, information and at times (heaven forefend) sarcasm are in 14-point A4 Cambria, reduced to A5 for publication.

*‘Dispensing criminal justice’ means changing lives forever. The trial process and court’s judgment can tear a life apart. Families can be broken, children separated from their parents and people locked up for decades. A miscarriage of justice can leave the aggrieved confined, metaphorically or literally, in a prison from which there appears to be no escape. While in the UK the state no longer has the power to kill at the end of a criminal trial, functioning justice can still ultimately be a matter of life and death.*

The anonymous author’s opening rhetoric. The whole book’s like that, written by a working barrister in the UK’s judicial system, which in the past twenty years has suffered the double whammy of Tony Blair’s Labour administration adding a new law to the statute books for every 3¼ hours they were in office; followed by David Cameron and Theresa May piling in more new laws while at the same time cutting police, court and legal aid budgets by a third or more.

The British Constitution requires those becoming engaged in or by it to have ‘equality of arms’ (dates back through duelling to trial by combat) while your elected governments prevent that happening in the 21<sup>st</sup> century by slashing legal aid to the point where nearly everybody with a job or pension doesn’t qualify.

*‘How, if we truly value criminal justice, have we allowed our system to degrade to its current state?’* Bewails the author. The answer is we didn’t ‘allow’ it: successive governments have engineered it in a series of disjointed moves in which governments create new laws without budgeting for them.

It’s always been like that: the Children and Young Persons Act 1969 was passed by a Labour administration that lost a general election in 1970. The incoming Conservative government didn’t repeal the Act – they just didn’t sign the commencement orders that would have funded what the Act required local authorities to do. The courts had the power to dish out care orders

taking children from parents and making their bed and board a local authority responsibility without giving the LA the money with which to provide such.

The justice system has a long backstory that the author introduces thus: *'...at the Assize of Clarendon in 1166, Henry II sought to introduce a 'common law' applicable nationwide, by establishing a cadre of judges who roamed the circuits, sitting in pop-up courts ('assizes') and applying the new common law. (Laws 'common' to all the people everywhere: one-size-fits-all it's right or wrong wherever you are) A key feature of the so-called 'common law tradition' is that where legislation has gaps or ambiguities, or calls for clarifying interpretation by judges hearing cases, the rulings of the most senior courts (today the High Court, Court of Appeal and Supreme Court) have the force of binding law, and must be followed by lower courts. This means that if you want to know the law on a given topic, the statute alone only tells you half the story; you will need to know what gloss has been slapped over it by court precedents.'*

That summarizes things nicely; it's also worth keeping an eye on the United States Supreme Court 'cos when they get constitutional, they happily refer back to British common law, statutes and precedents. King Alfred the Great's militia rated a mention in the Heller case in 2008. And bolted onto statutes are 'statutory instruments' – civil service gap fillers that quite often go unnoticed, like the 2007 air soft

regulations that mention public liability insurance as the way to provide a vendor with a defence in a realistic imitation firearm transaction.

The book tells us that there are 35,000 judges of all ranks in the UK and 15,000 barristers: so most 'judges' are not being harassed by proper lawyers most of the time. We assume the figure for 'judges' includes Magistrates, and we wrote this on return from a mention hearing in St Albans where three wigs of the bar faced the judge. And two of them didn't speak.

Unmentioned is the number of solicitors; they have right of audience in Magistrates' courts (solicitor higher advocates can appear anywhere a barrister can), which until 1949 were referred to as 'police courts'. And that is what they were; policemen did the prosecuting until the 1985 'reform' created the Crown Prosecution Service to 'check' police work and to take cases forwards to the courts.

The author has little time for Magistrates: untrained that they are, restrained, if that's the right word, by a legally qualified clerk and sitting in judgment on cases without necessarily having a planned way of assessing the evidence; *'And, my personal favourite, which I took home with me from the heart of rural Wales and will treasure forever: 'Well, we've had a think about it, and we reckon you probably did it. You did, didn't you? Go on. No? Well we think you did.'*

Says it all; our personal favourite was a trial at Lutterworth Magistrates Court in 2006 where the bench heard

the police evidence, waited until just after the defendant was sworn in to answer the summons and then retired to consider their verdict without hearing him: because they were on a schedule to get so much of their list done before lunch.

Cuts are still in the pipeline; *'Sir Brian Leveson's 2015 Review of Efficiency in Criminal Proceedings is implemented in full, will be that defendants lose the historic right to elect jury trial; the decision as to trial venue will be solely the court's.*

Traditionally, minor 'summary only' matters went to the police court – mostly motoring offences since most police forces spent most of their budgets on harassing motorists; while indictable offences were nodded through the Magistrates' courts in their capacity as successors to the Grand Jury to the Crown Courts in their capacity as successors to the Assizes and Quarter Sessions.

Leveson's proposals include magistrates' powers of sentence being doubled to twelve months' imprisonment for a single offence. *'This change has been lying dormant on the statute book for fifteen years, just waiting for an obliging government to accede to magistrates' pleas to bring it into force. When it does, an avalanche of either-way cases will suddenly be capable of being tried by magistrates, who will duly exercise their powers to send more people to prison for longer.'*

And doubtless the prison budget won't be increased to accommodate the deluge, same as it wasn't increased to accommodate people

gaoled on the five-year mandatory prison term for possession of a prohibited small firearm in 2003. Prior to that travesty; benign possession, such as of orphans at a shooting club, war souvenirs and Victoriana rated a fine of around £150 where the antiques exemption didn't apply. Prison was reserved for scrotes carrying unlicensed weapons in the furtherance of crime, except carrying for defence is a common law right, and such people don't seem to get charged and in any event are better placed to buy police attention off.

The resultant unintended consequence of this stupid over-riding of judicial discretion has been acquittals of numerous such owners where a jury might well have not accepted the antiques defence when a fine was in the offing, but wouldn't send middle-aged collectors to prison for harbouring rusty curios.

The Secret Barrister continues: *'Add to that Leveson plan to abolish the right of appeal to the higher court and the right mess that the Magistrates' courts are, before they suddenly get more work and fewer challenges.... This hangover of thirteenth-century parochial peace-keeping, far from being gently put out to pasture, is re-engineered as our turbocharged, armoured vehicle of justice for the new millennium.'*

This is the opposite of Scotland, where the equivalent of unpaid magistrates – honorary sheriffs – were phased out after the case of Kenny v Kenny because they were inadequately legally trained. Another

version - temporary sheriffs - served voluntarily on the bench and if they performed adequately might be promoted to salary: and the problem with that, as exposed in *Starr & Chalmers v Ruxton* (1999 GWD37-1793) was that they could be regarded as acting in their own financial interests.

The scuttlebutt that came our way was that word of this scandal had reached England and Lord Phillips was doing something about it: but if that's the case it's being done too slowly and too quietly to have reached the Secret Barrister's ears yet.

Moving on, *'The creation of the Crown Prosecution Service in 1985, designed to ensure higher quality, consistent service.....an inspection in 2015 found that nearly one in five police charging decisions, and one in ten CPS lawyer charging decisions, were wrong.'*

We can vouch for that: Harold Winckler was summonsed for armed trespass because a policeman thought he was in the grounds of a boarding school: so he swept in all lights blazing and found a fence between he and the farm field Harold was in with written permission. It got nodded through the CPS because 'where there's firearms there's crime'. The prosecutor arrived at court and asked for a ten-minute adjournment to read the papers. Most of the papers in the folder were unread letters from Harold's solicitor explaining the above and asking for a review of the decision to summons.

James Edmiston, a West Mercia RFD, was summonsed for failing to notify transfers of shotguns from his RFD to his shot gun certificate. The CPS dropped the summonses as 'not in the public interest' and they were later reinstated by the DPP in person - with all the original drafting mistakes uncorrected! And it got all the way to the court door before anyone actually noticed.

*'(It's) down to the simple fact that over the last eight years, the CPS has lost almost a third of its workforce. One quarter of prosecutors-many of them senior and experienced-have been sacrificed through voluntary redundancy schemes, which themselves have reportedly cost in excess of £50m, in an aim to meet expenditure cuts of 27 per cent imposed since 2009-10. (So files pass on without the obligatory work on them being done).'*

So while incoming Prime Minister Boris Johnson promised 20,000 more policemen in his maiden speech in that role, they will be counter-productive and useless, if not downright dangerous; unless CPS and court budgets are similarly increased to cope with the deluge of new prosecutions this hoard of probationers will hope to unleash upon the *'impossible dream of running a national prosecuting agency for less than it costs to give free television licences to pensioners.'* And that budget's being slashed at the time of writing. The Chancellor slid the cost of the provision onto the BBC who can't afford that and Jonathan Ross, so it's



going to be means-tested in a bizarre 'look back aghast' at Gordon Brown's brief tail-end Labour premiership and all the obsessive means-testing he introduced.

The Secret Barrister moves on to consider the people who come into contact with the criminal justice system. We've mentioned before that most people – Brits and Americans – can go their whole lives without having anything to do with guns or crime: so any debate about either issue leaves the majority of any audience without personal experience from which to index and calibrate any opinions they might be developing.

That's only until they rub up against one or the other: *'only 55 per cent of people who have been a victim or a witness in criminal proceedings would be prepared to go through it again. It bears repeated emphasis. Nearly half of all witnesses surveyed said that they would not be willing to take part in criminal proceedings on a future occasion. If they witnessed your daughter being mugged, they would not assist in bringing her assailant to justice. If you were falsely accused of assault, they would not come forward to say that they saw you acting in self-defence. If they were themselves a victim, they would not entrust the justice of that crime to the state, preferring, one infers, that the miscreant go unpunished, or be subject to a more immediate, possibly divine, form of retribution. This is raw failure on the most fundamental plane. And it's no secret. Politicians, at least, are well versed in the unhappy lot of the witness,*

*their inboxes no doubt overflowing with irate correspondence from constituents appalled at their brush with the criminal courts. But the solution, universal across the political spectrum, remains the same zygotic slogan: Put Victims First. That is not to say that victims' rights initiatives are not worthy; they are absolutely vital. Much of the misery I encounter when meeting witnesses at court is born of a lack of meaningful information provided by the prosecution agencies, or an absence of support with practicalities—such as arranging childcare during the court hearing—and pledges to improve such basic services should be realized.'*

In the round, the police focus is on the suspect, who, in terms is their key witness. The victim is a peripheral prosecution witness and the family members of either the suspect or victim are nowhere. In a case that goes to court, the police do not want any suspicion aroused that they've groomed prosecution witnesses – of whom the victim is one – with the effect that being the victim or a prosecution witness is an isolating experience – that can have unintended consequences.

*'If you were a criminal mastermind trying to design a system to deter victims of crime from engaging with the authorities, you would struggle to devise something better.'*

Privatisation both made things cost more rather than less and caused numerous cases to fail when either

evidence or a professional witness failed: the Secret Barrister mentions interpretation evidence in particular. We'll mention firearms evidence: until 1991, chief constables were deducted 6% of their budgets to pay for 'forensics', provided by the discredited and now defunct Forensic Science Service.

After 1991, police chiefs got their budgets in full and paid the FSS on a cost of works basis; so instead of seizing 1001 guns from a registered firearms dealer and sending them all to forensics to see if anything untoward could be discerned, a policeman locally would inspect the kit and send the 'suspicious' stuff off for a forensic report.

This use of 'outsiders' still rankled with chief constables. What they wanted was direct control over all the tools of law enforcement. In the old days, they'd send for a detective from New Scotland Yard for homicide and other serious cases, such as the Great Train Robbery, but as the 60s ended, so did that. Every police force in the reduced/amalgamated what was left developed every branch of policing.

So North Wales, with 0.06% of UK firearms crime on its patch spent more than any other force on firearms training facilities – according to Tony Long. Dumfries and Galloway had all the resources they needed to investigate why a Jumbo Jet bound for New York landed in bits near Lockerby and Sussex handled the

Brighton bombing of the Tory Party conference. In 2012 the FSS was wound up enabling police chiefs to have their own firearms investigation laboratories.

What we and they got instead – and as well as – was and is NABIS – National Ballistics Intelligence Service – the people that brought you chapter and verse on 'gun number 6' that hasn't been used in any crime for more than a decade and the invention of a whole new category of prohibited firearms – described as 'viable'. From the one Azelle Rodney had acquired which didn't work to the 3D print mentioned elsewhere in this journal.

*'Given the choice between doing it quick 'n' cheap and doing it right, the laws of political attraction will always favour the former.'*

And the world is changing: this is what the author had to say about defending defendants - *'Good defence litigators keep the prosecution honest. And they keep the system honest. In a series of High Court decisions from 2006 onwards, cherished totems of the cunning defence lawyer were demolished one by one, held to be contrary to the spirit and letter of the New World Order. Defence lawyers were sternly warned: Criminal trials are no longer to be treated as a game, in which each move is final and any omission by the prosecution leads to its failure. It is the duty of the defence to make its defence and the issues it raises*

*clear to the prosecution and to the court at an early stage.'*

Despite the headline figures of how much public money barristers soak up the high numbers are the sum of several years work on the case: the average income for someone at the bar is £27K – and they completed their training £75K in debt. The demise of legal aid means most defendants can't recover any of their defence costs when acquitted, while prosecutors can; *'We thus have the theoretical pantomime of a private prosecutor falsely accusing an innocent person of a crime, bringing a case to trial, losing and walking away financially restituted, while the innocent, victorious defendant is forced to sell his home to pay the costs of his acquittal.'*

'Private' prosecution is still an option in the UK, of which you're likely to hear more. The police powers to prosecute were corralled into the Crown Prosecution Service in 1985, but other entities – such as the RSPCA – routinely prosecute cases they have investigated and the lack of equality of arms means that they, as prosecutors, can recover their costs win, lose or draw, while the defendant suspect in a raptor poisoning/animal neglect type prosecution may walk away with his liberty, but not his purse.

We noticed that this could cut both ways. It's long been the case that police attacks on firearms dealers and other people trying to act lawfully divest them of (sometimes)

everything (as happened to Prime Firearms) without any come-back. However, seizing a dealer's stock prevents his lawful trade and unlawful restraint of trade is a criminal offence at common law. So the two things you need to know at this point are (1) that there's no statute of limitations on common law crime and (2) that crimes are committed by individuals: so a dealer prevented from earning his living can pursue – not the chief constable or the Home Secretary – but the arresting officer, the one who obtained the warrant, the person who signed the revocation letter or the Home office refusal to continue the section 5 authority. They are personally liable for the financial consequences of such misdeeds.

*'It is immaterial to me whether I behave well or ill, for virtue itself is no security. And if such a sentiment as this were to take hold in the mind of the subject, that would be the end of all security whatsoever.'* Defence counsel John Adams' closing address to the jury in the murder trial of British soldiers following the Boston Massacre, in 1770. Prime Firearms did everything right and lost everything getting acquitted.

*'And while Hanlon's Razor holds that one should never attribute to malice that which is adequately explained by neglect, the history of British criminal justice shows that bad faith on the part of the prosecuting authorities is more than just...fantasy.'* Ω



## **SRA JOURNAL REVIEWED**

It wasn't always thus: an A5 booklet with a colour cover, like the one you're holding now. The current edition reflects developments in publishing over the past quarter-century.

The SRA's founder in 1984 was Jan A Stevenson: editor and publisher of 'Handgunner' magazine, which he'd launched in 1980. Publishing a magazine then meant choosing the articles, writing the columns, assembling the photographs, selling the advertising, designing the page layouts: then all the copy had to be typeset, pages laid out and photographed ready for making the printing plates. It was a team effort: Jan had Terry Hill as art director and Nigel Hinton selling advertising.

As a fledgling organisation, the SRA's Secretary Arch Wylie (1935-85) produced an introductory newsletter for new members – most of whom knew what the association was about anyway from editorial comment in 'Guns Review' magazine. A two-sided typed piece, photocopied as necessary: much in the style of all the other voluntary groups of the period, and written on the association's state-of-the-art daisy-wheel typewriter.

Richard Law continued the process on the same typewriter when temporarily appointed to the secretary post at Arch Wylie's funeral.

Photocopying was expensive until the SRA inherited a Minolta EP310 from a client and were gifted a Gestetner duplicating machine. While that was obsolete technology in the mid 1980s, the supplies were still available and Richard's dad Tony (1927-99) typed up the stencils on his manual portable typewriter.

SRA archives don't include copies of anything duplicated: we think it was used immediately after the Hungerford murders in 1987 for circulars to members, as the photocopier was awaiting a service at the time. The newsletter remained a typed, photocopied A4 document until #11 (10 double-sides).

Following the Hungerford murders in 1987, the SRA membership expanded rapidly, as everyone engaged in the shooting sports expected an irrational knee-jerk response from the government and wanted someone doing something about it. Issues 12-19 went out as folded A5 booklets bi-monthly to keep members informed: the last of these was typed on an Amstrad word processor acquired to keep track of the rapidly expanding mailing list. We also bought a new Ricoh photocopier and that churned out most of our 'Hungerford' output.

Issues 20-22 were professionally typeset and printed as A4 booklets and were the first to carry advertising. That was a businessman seeking to take over the association's

administration for a fee. It didn't work out, as his proposed fee for processing memberships and journals was more than the association's income.

We went back to photocopying an A5 booklet for #23: 24-31 are professionally printed A5s and we graduate from being a newsletter to becoming the 'Shooters' Journal' with #32 in the spring of 1992; A4 sized and 36 pages. That marks Chris Chuter taking over as its editor: he continued until #44 when Peter Brookesmith took the chair.

The biggest task when producing any magazine relates to the adverts: selling them, typesetting, proof reading and layouts. On 'Handgunner' magazine and its competitors, advertising buys the paper and pays for the print run. The distribution network pays the publisher half the cover price and that money pays the staff and overheads.

The SRA's in-house journal isn't a competitor in that market, but selling advertising to raise money for the print costs was helpful, albeit time-consuming: so while Chris Chuter did make the effort – and was very appreciative of the trade supporting the publication – Peter let that go after our insurance broker Roger Norman retired and only printed in-house promotional adverts.

Following Peter's retirement, Richard Law took back the task after #56 to produce the A5 booklet you

currently get. Dropping to A5 was a costs decision: when the SRA started a second-class stamp cost 12p, while the stamp on this one cost 83p. Our photocopying used to be 1.2p a side – these booklets are more like £1 each to print.

That it's no longer two sides of A4 photocopied paper is because we've all benefitted from the changes in technology – typewriter – word processor – home computer – desk-top publishing.

'Handgunner' magazine started going that way in 1991. Jan Stevenson, Mass Ayoob and Tony Law were all old school touch-typists who used portable typewriters: but embracing desk-top publishing cut out the trip to the typesetter and then the proof-reading of his work.

We reprinted Jan Stevenson's Glock article from 'Handgunner' #24 in our Journal #60 and to do that we had to copy-type it and that's when we noticed bits missing. The old typesetting system meant a copy-typist inputting that article into a machine that printed it out on bromide paper (the glossy paper photos are printed on). Terry Hill would literally cut and paste their bromide output onto the page layouts. So whether the missing bits were a line or two to fit the format, or whether the typesetter missed them we don't know, but Jan reckoned six was the irreducible number of



mistakes one might find in his magazine.

He re-trained on computing for #55, hence it coming out eleven months after #54 in May 1992. We were lucky in that Chris Chuter arrived on scene already trained, as did Peter Brookesmith after him: and Peter also had the book publishing skills that came out of the publishing revolution.

Back in 1996, Richard Law and Peter Brookesmith co-authored 'The Fighting Handgun'. The book was a traditional production from a traditional publishing house – the Cassell Group. Their titles were a mixed bag of them commissioning works to fill gaps in the market and pitches from authors that found favour with them. The 'Fighting Handgun' was the former: John Walter turned down writing it and Peter Brookesmith got the offer when he went in to pitch a repeating shotguns book.

The traditional way of doing things was to offer a prospectus about the book to the main book sellers – mainly mail order clubs by then – and then to commission it when they had a reasonable expectation of selling their proposed print-run: in this case, 6,000 copies. They must have pitched it with John Walter's name on it, as some advertising still associates him to this title.

Anyway, 6,000 copies generates a potential £9,000 royalty for the author(s), so they got the go-ahead to write it with a third of the royalty paid up front. The next tranche was paid on receipt of the manuscript and the rest came quarterly as the title sold and after the publisher's layout had been recouped.

The dramatic change to the publishing market wrought by computerisation is known as 'print on demand'. It costs the same to print one as it does a thousand, so there is no longer any need to hold much stock. That saves space and both advantages save money.

As an aside, long-standing members may recall a fraught National Pistol Association AGM after Derek Phillips left. They had lost a significant sponsor in Geoff Sturgess and the costs of the NPA's headquarters in Welwyn Garden City were in question. The treasurer said that half the building was taken up with storing targets for the various competitions the association managed. Same problem: they bought them in bulk for the cost saving on print runs and then had to spend money on storage space to keep them in until needed.

Books produced traditionally have a first edition, a second impression and so on and specialist titles with a small print run in the first place go out of print. We noticed this when compiling a list of the books reviewed in our various newsletters and Journals.

The first book reviews were in #8 and sporadically thereafter. Reviewers have been a mixed bunch, as have the books. Gun classics, such as 'The Art of Revolver Shooting' by Walter Winans in #36: classic novels, such as 'Prester John' by John Buchan in #61 and 'the Red Badge of Courage' by Stephen Crane in #41.

Anne Frank's diary (#45) is well known, but that was a new edition: her father had edited out a lot of teenage angst before the first publication in the 1950s. We had the pleasure of coming across 'the Footprints of Elephant Bill' by Susan Williams in a Weller and Dufty job lot and reviewing that in #42. 'Elephant Bill' by Lt Col J H Williams was an English literature 'O' level tome in the 1960s and was his account of working elephants in the Burmese teak trade between the wars and what happened to him when the Japanese invaded.

He struggled to get published at a time when everyone had been in

the war and had a story to tell. His widow's book gives us a window on her life in the 1930s Raj. That only ran to one edition in 1962, but copies are on Amazon for around £18 each – and worth it. In contrast, Michael Yardley's 'Sandhurst – a documentary' can be had for a penny (plus postage).

Nowadays, print on demand enables publication of books that are likely to have a small print run – a benefit to self-publishers. There have always been a few around: we reviewed John Preston's 'the crock of gold' in #8. It was about the benefits (long since abolished by a conservative government) of registering your shooting club as a charity. Another such as 'Handgun Shooting' (1991) - an introduction by W M Dewdney in #31: he being a club pistol coach who created a manual for newcomers to read.

We reviewed 'The Law Relating to Firearms' in #58. Published by Butterworths in 1981 it's still easily the best textbook on the subject of UK firearms law. OK, we've had no end of changes since then, but all those changes just jerked classifications around: the core of the Act remains the same 1968 Act as was. So it's a good book, but highly specialised.

That means it had a small print-run at the time and the four copies we've seen were all first editions. It

didn't go to a second impression; nor did it go to a second edition after the law changed in 1988 and the reason(s) would have been that the first edition satisfied demand – eventually – and either the publisher or the authors or both wouldn't have thought a new edition in 1989 worthwhile financially.

The same is also true of Iain Bradley's 'Firearms': published by Sweet & Maxwell in 1995, it's an update in the sense that it was up to date in 1995 and it proved useful as it's a Scottish take on the legislation. Just to explain that, Scotland is a Roman law (as opposed to a Common Law) country: its judicial system works differently and its courts record decisions for the guidance of those who may follow.

'Joy v chief constable of Dumfries and Galloway' (1966) is a Scottish case that is still cited in Home Office guidance to the police. It contains more 'guidance' than most cases including:

- That if an applicant has a good reason for a firearm certificate that is not a ground for refusing to issue him one.
- A firearm does not have to be 'suitable' for the applicant's purpose – merely adequate.

- The chief constable should consider the application from the point of view of the applicant and not from that of a possible objector.
- That a firearm may be readily convertible to a higher category does not mean that the higher category applies to it.

So while Bradley is a useful addition to the bookshelf, it's a product of its time and has not been updated. J B Hill's 'Weapons Law' (1989 – Sweet & Maxwell) did run to a second edition in 1995. His book has a wider audience, covering hand weapons, archery, poaching and the police use of firearms, but hasn't been updated since.

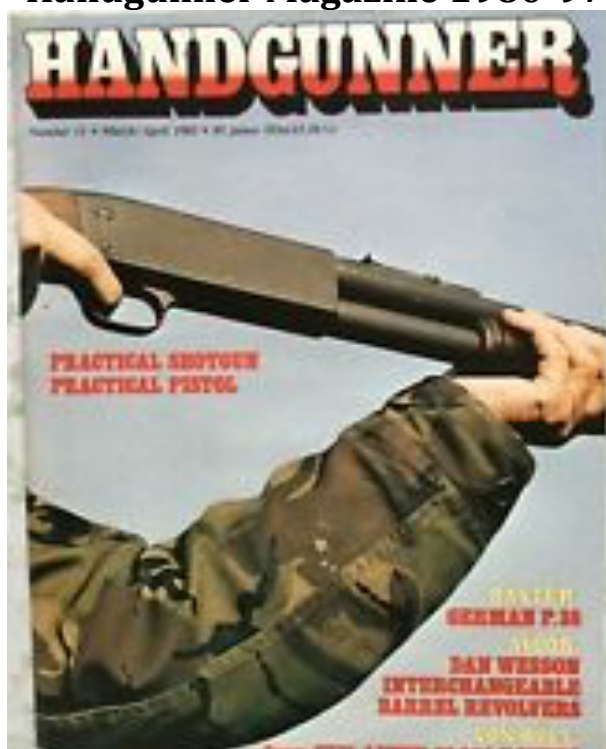
The fourth firearms textbook was Geoffrey Sandy-Winsch's 'Gun Law'. First published in 1969 and thus first on the market, his 2<sup>nd</sup> edition is 1973, 3<sup>rd</sup> in 1979, 4<sup>th</sup> in 1985, 5<sup>th</sup> in 1990 and 6<sup>th</sup> in 1995. The clue to his success is, we think, his publisher: Shaw & Sons. They also publish regularly updated titles such as their 'directory of courts in the United Kingdom', so may have required updates for university reading lists or reference libraries.

And it's not over yet: Barrister Nick Doherty (under the supervision of his wife Laura Saunbury) produced 'The

Firearms Law Handbook' in 2011 (reviewed in #56); that was marketed as the 7<sup>th</sup> edition and the 8<sup>th</sup> edition was advertised on the back of our Journal 63. Subject to when it reaches us, it may also be reviewed in this issue. Ω

### **'BOOK' REVIEW**

#### **Handgunner Magazine 1980-97**



Founded by Jan A Stevenson in 1980, it was his return to writing after a five-year time-out studying for his PhD in French history at Brasenose College Oxford. An American from Alabama, Jan was brought up bilingual in French and English. He had been a police officer in his home State and a Pinkerton detective based in Washington DC

prior to departing its shores for Europe.

He established his writing credentials as guns editor of Police Magazine; a chair to which Massad F Ayoob succeeded him: he subsequently became an associate editor and contributing writer to the new British title. In Europe – more accurately Paris - he co-authored *Les Pistolets, Les Revolvers et Leurs Munitions*, with Michel Josserand and was responsible for the English translation that Crown published in 1972.

Then he went to Oxford where, through the university pistol club he met some of the people with whom he would write the magazine: Richard Munday, James Hawkins, David Thomas and Heinrich Harke. The 1970s was when pistol shooting was really taking off in the UK. Prior to that 'pistol' was either .22" or 'service' and the ammunition for the latter (.455" and .380") was drying up.

That decade saw the foundation of the United Kingdom Practical Shooting Association and the National Pistol Association and Jan was a founder member of each. The Shooters' Rights Association also dates from the 1970s, as does the International Long Range Pistol Shooters Association.

After university, Jan spent a year at the Imperial War Museum before launching the Handgunner Magazine: the first issue was dated July 1980. Tom Collins, proprietor of the Southern Armoury – coincidentally the nearest gunshop to the IWM – took the back cover advertising slot for life. Literally; his last appearance was on the back of March 1987's issue 38: after he died the Edgar Brothers got it and advertised there to the end – issue 67 in May/June 1996. That one was put to bed shortly after the Dunblane murders occurred and is a rare beast now because the retailers stopped putting gun magazines on their shelves.

The first few issues are all the more interesting for how Jan managed to put them together without being registered as a firearms dealer: Essex Police were quite tardy about accepting his need for registration in order to earn his living in their patch. While saying he didn't need to be registered, they also said he's be prosecuted for possession of any gun sent him for review if it wasn't on his firearm certificate.

If you take a look at a modern gun magazine, you'll notice that the editorial content – the articles – are very much driven by the advertisers. Handgunner was never like that; the driver was to educate and entertain the readers and

through that philosophy, the magazine attracted a considerable following of readers who weren't shooters. Home Office officials, over a hundred police chiefs worldwide, foreign governments and individuals all over the planet took subscriptions for the expertise Jan could put into assessing new products in the context of what had gone before. It also attracted complaints, such as the letter from a reader complaining that the articles were too long for him to read in W H Smiths.

The 1980s and 90s were rich with new models and calibres pouring forth from gunmakers in the US and Europe: not to mention South Africa, South America, Israel and China. Innovation in firearms design is usually driven by the necessity of war: handguns are defensive weaponry and thus of more interest to those who are on the back foot, yet those two decades spawned all sorts of new models without that as the driver.

What kept the American handgun market buoyant in the decade and a half after Vietnam was the leisurely hunt for a pistol to replace the M1911 on the military side and on the other side – policing. A quarter of all newly made firearms, it was estimated, went into police departments. Police guns get carried a lot and fired rarely, so in principle at least



one could carry the same sidearm for 40 years and all that you'll wear out is the blueing.

So to 'encourage' police forces to change guns, there needs to be a reason: in London, the Metropolitan Police acquired Walther PPKs to replace their aging Enfield and Webley revolvers in the early 70s because the .380" ammunition they took was no longer being made and supplies were finite and drying up. Then a Walther PPK jammed during a kidnap attempt on Princess Anne in 1974. That drove the force back to revolvers and American suppliers of whom several had decades of credentials for supplying quality arms to policing.

The next 'problem' (mainly for the press) was that the American models didn't have safety catches. In America, innovations included the double-action first shot on auto pistols, double action only pistols – to do without a safety catch – and then there was the ammunition. The US army went from .45" to 9mm. They'd gone from .45" to .38" and back again a bit sharpish in the early years of the century. 9mm was a Johnny-cum-lately in the US. Originally devised for Georg Luger's pistol, it spent over five decades of the 20<sup>th</sup> century being thought of as a submachine gun cartridge. American military veterans were familiar with and respected 9mm in pistols – the Luger and the Walther

P38: the latter was Smith & Wesson's starting point for their model 39 in the mid 50s.

Handgunner Magazine tracked all the later changes as they happened, in the context of what had gone before and you can still follow it – nostalgically – in the old back issues that are available on eBay: some but not all. Some issues sold out years ago and some back issues succumbed to the ravages of being stored in 'the fort' – Fortress Ranges – as the redundant HMS Ganges was known to a whole generation of pistol shooters in the 1980s.

Moving them from there to Wales took them out of the salty atmosphere of coastal Suffolk to the less salty but definitely damper climate of Pembrokeshire. From whence we are trying to thin them out by offering them on line. If you've lost your copies, it's a chance to wallow in how things used to be at £6.95 a copy, post free: such as the brand new Colt Python for £320 or a second-hand Ruger service six for £85 in issue 10.

Pat Walker and Robin Pannell were offering military surplus automatic rifles, but that was about it for SLRs. They only really took off as the 80s got going only to run into the buffers of the Firearms (Amendment) Act 1988. The first L1A1 rifles for British civilians came in 1982 when the Singapore

National Guard sold theirs. Jan Stevenson bought one and became the first civilian in a quarter of a century to enter the service rifle competition at the Imperial Meeting. FN 1949s were around, FALs and quite a few other selective fire weapons were converted to semi: such as Bren guns and war surplus of similar vintage.

The only 'new' semiautomatic rifles we remember were Rugers – the mini 14 in particular. Made famous by the 'A' Team on TV (except theirs had the seers filed off and blank firing barrels) the rifle was a derivative of the .30" M1 carbine and military surplus originals were slow sellers at £95 with sling, bayonet, oiler and two magazines.

The Glock 17 came out of nowhere in 1985. Jan had the first one into the UK and evaluated it in issue 24. Massad F Ayoub was always on the ball when it came to what was good for policing – or not: the Ruger P85 got the thumbs down, so he didn't pen a UK review: the Colt All American 2000 likewise failed to find favour with the Little Arab and he did tell all in issue 59.

John Slough's Spitfire prototype got a thorough review in issues 51 and 52 at a time when British gunmakers were thin on the ground. There was Alan Westlake's Britarms MkIII, which graced the cover of issue 16 but wasn't reviewed within (that bugged me with issue 11: it had the Ithaca 37 on the cover and no review was published) and we

had to wait to issue 43 for a review of his experimental recoilless .22 pistol. The only other British gunmaker back then was Chris Perkins and his MAC 10. That didn't get into Handgunner, but was reviewed in the SRA's Journal 32.

The market has moved on since we were kicked out of it: round, rather than on – it's actually gone full circle and the M1911 is back. Jan reviewed it when comparing it to the Colt Officer's compact in issue 33. When practical pistol was taking off, the M1911's .45 ammunition rated 'major' while 9mm rated 'minor' and that made a difference to scoring. On paper there wasn't much difference – 375 foot-pounds to 367, but at skittles the .45 would push a skittle three feet rearwards and off the table. To knock them off the table with a 9mm, the pins had to be positioned nine inches from the rear edge.

The argument went to and fro: heavy knockdown versus the increasing magazine capacities of the smaller round. M1911s held 7 rounds. Contemporary 9mms held 8 – the Luger famously. Browning innovated with his GP1935 to 13 rounds, while Walther stuck at 8 with the P38 and Smith & Wesson followed them with their model 39.

While CZ led the race to heavier handles with their 1975 model, followed by Glock, IMI, John Slough and everyone else, S&W started it with their model 59. And it's all still there to be re-read in Britain's Foremost Firearms Journal. Ω