

SHOOTERS' JOURNAL

ISSUE 70

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**Antiques Regulation transition
So how d'ya classify this?**

**John Hurst Obituary
Book Review – another police memoir**

SHOOTERS' RIGHTS ASSOCIATION

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ABOUT US

The SRA is a not-for-profit unincorporated membership association. Formed originally in 1973 as a public reaction to Home Office proposals to prohibit military weapons we became a legal interests group in 1984: concerned with the postcode lottery of police maladministration of the Firearms Act and the impact the policy of treating everyone who was trying to act lawfully as a target criminal was having practicably and socially to our subculture.

And that has changed over time. Government policy separated the shooting sports from Ministry of Defence control, then banned clubs from using military weapons and then withdrew charitable status from clubs

COVER PICTURE

Issue 70 Summer 2021



SRA PHOTO

Whenever someone makes a list, there's always something missing, or anomalies that don't fit the filing system. Our cover picture is one such: a cape rifle, which is chambered for an obsolete rifle cartridge in the left barrel and an obsolete black powder shotgun cartridge in the right barrel - and neither is on the Home Office list of obsolete cartridges. Nor is the chambering of the Swedish revolver on the spring cover. The .320" pictured with it was on the obsolete list, and now isn't. It's a typical bureaucratic muddle.

leaving just sporting uses for firearms and shotguns. And they continue to shrink if government figures are to be believed. Meanwhile, new uses for firearms emerged, Battle re-enactment grew out of military vehicle restoration from small beginnings, such as Molash in 1977 so the magnificent range of summer shows and living history events in 2019 - and then Covid 19 stopped play. And now it's coming back!

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EDITORIAL

While it may not seem so to gentle readers, we (sort of) rushed this issue out because of John Hurst unexpectedly dying aged 64 in May and we wanted to both mourn his passing and explore the void left when the things of earth grew strangely dim for him. A campaigner on firearms issues, the law and the constitution of our country, he left a lot of loose ends, unfinished cases and causes with, it seems, nobody naturally taking up his mission.

Lockdown has meant not much else is going on. The Home Office antiquates regulations require owners to apply for certificates by the 21st of September, while significant backlogs

in both GP surgeries and police departments make that, depending on where you live, difficult to unlikely to not happening. Whether the powers that be will make any further concessions to the public to accommodate police failures remains to be seen.

But there's a light at the end of the tunnel; while all the large re-enactment and living history events were cancelled – mainly because event organisers couldn't risk the uninsurable costs of preparing for an event that might be prohibited from taking place by a government that refused to underwrite the financial consequences of what they might do, small events are taking place and our groups are rallying to them.

Which makes for a better journal in the autumn as we report those events and look forward to the next season.

Having supported our members as best we can with subscription discounts over the past 18 months, we must increase our prices a bit for next year. A lot of members took the pandemic period 'off'; nobody died that we know of, apart from John Hurst and one resigned. The knock-on effect of our reduced numbers is an increase in the per capita cost of our overheads – and that's without taking account of the discounts we provided. Ω

News in brief

The New Parliament – Queen's speech highlights

When the Queen opened her 67th Parliament in May she outlined three Bills dealing with animal welfare in the

government's programme. An Animal Welfare (Sentience) Bill, a Kept Animals Bill, and an Animals Abroad Bill. The issues that these bills will address include transportation of live animals, pet theft and cat microchipping. We don't yet know whether the animal transportation issue arises from when Sgt Ian Craven left two dogs to die in the extreme heat of a closed vehicle parked outside a dog training facility in Keston, Kent in June 2011 while he went to a meeting in London, or other welfare issues.

A campaign kicked off on Radio 4 about pet theft in June; at the moment, a dog is 'property worth less than £500' in law, while owners regard them as companions and part of the family or the workforce: depends what they do and many cost more than £500 anyway. Victims of dog thefts want vets to check microchips of every animal brought into them and thieves handed down tougher sentences than the £250 the Ministry of Justice guidelines currently suggest.

The 'Animal Sentience' bill will bring over from EU law the responsibility for ministers to consider the welfare of sentient animals when making policy decisions. The Bill will create an Animal Sentience Committee in Parliament to look at and report on government decisions. What we don't know is what IQ test is being used to determine 'sentience'. Presumably chickens are but eggs aren't.

The Countryside Alliance is on the lookout for backdoor threats to the status quo. The Government intends an import ban on hunting trophies from

endangered animals, for example, but as worded it won't impact on deer management in the UK and none of our deer species, native or invasive, are endangered per se, except by traffic and the occasional stalker.

A closed season for brown hares is envisaged and will hopefully include plans to address illegal hare coursing. Poultry farm cage restrictions may stray into game bird rearing – to the delight of the 'anti' lobby. Ω

DEREK CHAUVIN CONVICTED

The trial of this former Minneapolis police officer ended with the jury convicting him of the second degree murder – common law manslaughter – of George Floyd. This case began when George Floyd, while under the influence of a narcotic, passed a forged bill in a shop and staff called the police.

As a first responder, Derek Chauvin sought to take Mr. Floyd into custody, met with resistance and floored Mr. Floyd, got him into handcuffs and held him down by pressure on his neck while he uttered his famous last words, "I can't breathe".

The difficulties caused to suspects' breathing while under restraint – particularly when gagged to prevent them spitting - are cited in Dr Richard Shepherd's book 'Unnatural Causes' (reviewed in issue 68). He worked to change restraint practices by the UK (anti) immigration services because of the number of people they killed using such techniques. You try taking a four-minute shower with a mouthful of mouthwash and see if you can manage that. Derek Chauvin pinned George

Floyd to the ground by his neck for more than twice that time.

Word got around from Dr Richard Shepherd's work. Former Metropolitan Police Chief Superintendent Parm Sandhu says in her book "black and blue" (review next issue) that the practice changed to getting suspects back on their feet as quickly as possible: the opposite of the Minneapolis experience.

It's a plain fact of common law that killing someone by taking action reckless as to the consequences is manslaughter. Therefore policemen shoot to 'stop' a suspect. If you try shooting the gun out of his hand and hit his femoral artery, death is an unintended consequence and that's manslaughter, whereas if you shoot to stop him and that turns out to be a permanent arrangement, it isn't.

This is multi-faceted and can't be simplified much. The issues raised include policing by consent - which in some jurisdictions may have gone out the window - police training and ultimately, respect for human rights. What Derek Chauvin did was light the fuse that sparked the 'black lives matter' campaign that has taken on a life of its own. Ω

ANTI ANTI IMMIGRATION PROTEST

Men detained in a Home Office van have been released following a face off between police and protesters in Glasgow.

A crowd of around 200 people gathered in Kenmure Street on the morning of the 13th May, with people

lying under a Home Office van to stop it moving.

Dozens of police officers surrounded the vehicle as people chanted "cops go home" and "leave our neighbours, let them go".

Just after 5pm, Police Scotland issued a statement to say the men in the van had been released.

It said: "***In order to protect the safety, public health and well-being of all people involved in the detention and subsequent protest in Kenmure Street, Pollokshields, today, Chief Superintendent Mark Sutherland, has, following a suitable risk assessment, taken the operational decision to release the men detained by UK Immigration Enforcement back into their community meantime.***

In order to facilitate this quickly and effectively, Police Scotland is asking members of the public to disperse from the street as soon as possible. Please take care when leaving the area and follow the directions of the officers on the street."

Scotland's First Minister Nicola Sturgeon, who is the MSP for the area, tweeted: "***Today's events were entirely down to UK Home Office actions.***"

SRA's Scottish Rep comments:

The whole issue of hate crime is complicated by the inclusion of religious bigotry as a form of racism. Why some Home Office luminary thought that it made sense to equate something as immutable as race with a conscious choice to adhere to a system

of faith merits investigation, but not here.

In May this year, the UK Border Agency contacted Police Scotland to scoop up a pair of gentlemen from India whose applications to remain had failed. When the police turned up to do their duty, however, they discovered a large crowd had gathered to thwart their mission.

This standoff lasted several hours until Anas Sarwar, one of our new Regional MSPs, negotiated the release of the deportees. Their current whereabouts are uncertain.

To make matters worse, our First Minister, the incomparable Nicola Sturgeon, berated the police because she felt that enforcing statutory legislation during a religious festival was evidence of poor judgement on their part.

This raises several questions, especially since the festival, Eid, had not begun, and since the targets of the action were Sikhs, Eid is not part of their creed.

At time of writing, I have an enquiry on Mr Sarwar's desk asking if the Scottish government expect the police to stand down during other Holy Days.

This is an awkward one because if the Police grant the same degree of deference to all faiths, their calendars are going to get very complicated because there's a lot of religions. If they don't, the phrase 'children of a lesser God,' could get stress-tested in court. Even if they do decree all the devout get a temporary pass, where does that leave the people who do not acknowledge the existence of Supreme

Entities? Does Police Scotland regard them as perennial targets?

According to Article 8 of the European Convention on Human Rights (ECHR), everyone is entitled to the same degree of privacy, however, even before the UK cut ties with Europe, the Scottish government had already operated 'outside of EU regulations.'

This could get interesting.

FB Ω

STATUTORY INSTRUMENTS

2021 No. 464

ARMS AND AMMUNITION

**The Firearms (Amendment) Rules
2021**

Made

13th April 2021

Coming into force

7th May 2021

EXPLANATORY NOTE

**(This note is not part of the Rules)
These Rules make amendments to
the Firearms Rules 1998 ([S.I.
1998/1941](#)).**

**Rule 2(2) and (3) amends the
Firearms Rules 1998 in order to
clarify the condition imposed on the
grant or renewal of a firearm or
shotgun certificate, requiring the
holder of the certificate to inform
the chief officer of police by whom
the certificate was granted as soon
as reasonably practicable but in any
event within seven days, of the theft,**

loss, or destruction in Great Britain of the certificate, and of the theft, loss, deactivation or destruction in Great Britain of any firearm, shotgun or ammunition to which the certificate relates. The addition of the words “in any event” provide clarity that the notification must be made as soon as reasonably practicable, with seven days being the maximum period for notification.

Rule 2(4) and (5) replaces the existing firearm and shotgun certificates. The purpose of making these changes is to ensure that additional information is recorded on the certificate about the weapons listed therein. This includes the unique identifying mark as applied to the weapon’s frame or receiver and, where different, the unique identifying mark as applied to each relevant component part. The changes also reflect the amendment made to the condition in rule 2(2) and (3) and update the guidance and note sections of certificates.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

Kit Malthouse Ω

The Home Office have been busy: here’s their roundup of recent changes:

The Home Office Guide on Firearms Licensing Law

is currently being updated. See below for information and links to

legislative changes that have been made since the guide was last published in April 2016. Until the guide is updated to take account of these changes, please read it in conjunction with the relevant information below. (We’ll be doing that to see if their revision of the ‘non-statutory guidance’ takes account of the law of the land: the 2016 version doesn’t. Ed)

2017

Circular 006/2017: firearms controls

Policing and Crime Act 2017

Commencement Order SI No.399 (C.38)/2017 gives effect to the following sections of the 2017 Act: on 3 April 2017:

s.133 ‘Guidance to police officers in respect of firearms’, and on 2 May 2017: s.125 ‘Firearms Act 1968: meaning of “firearm” etc.’

s.127 ‘Possession of articles for conversion of imitation firearms’

s.128 ‘Controls on defectively deactivated weapons’

s.129 ‘Controls on ammunition which expands on impact’

s.130 ‘Authorised lending and possession of firearms for hunting etc.’

2018

Circular 014/2018: Limited extension of validity of firearm and shotgun certificates

Firearms Act 1968 / Policing and Crime Act 2017

Commencement Order SI No. 456 (C.37)/2018 gives effect to section 131 of the Policing and Crime Act 2017 to insert new section 28B into the

Firearms Act 1968 to provide for limited extensions of the validity of firearm and shotgun certificates in specified circumstances.

2019

Circular 005/2019: Firearms (Amendment) Rules 2019

The Firearms Rules 1998

The Firearm (Amendment) Rules 2019 (SI No. 2019/963) introduced the requirement from 10 June 2019 for registered firearms dealers to make a medical declaration and to notify details of their servants.

Circular 006/2019: Firearms (Fees) Regulations 2019

Firearms Act 1968 / Firearms (Amendment) Act 1988

The Firearms (Fees) Regulations 2019 (SI 2019 No. 1169) introduced, from 1 October 2019, fees in respect of applications to the Home Office, or Scottish Government, for museum firearm licences, club approval and section 5 authorisations.

Circular 010/2019: Firearms Regulations 2019 and the Firearms (Amendment) (No.2) Rules 2019

The Firearms Regulations 2019 (SI No. 1420) and The Firearms (Amendment) (No. 2) Rules 2019 (2019 No. 1419).

The circular draws attention to measures which took effect from 12 December 2019 and introduced changes to the controls on firearms relating to: responsibility for secure storage arrangements in relation to certificate holders under the age of 18 the particulars to be entered by firearms dealers into their register

of transactions in order to reflect new marking requirements for firearms and essential component parts the notification of certain deactivated firearms held in the United Kingdom and their transfer.

Offensive Weapons Act 2019

Firearms Act 1968

The Offensive Weapons Act 2019 banned certain rapid-firing rifles and bump stocks under section 5 of the Firearms Act 1968. The bans came into force with effect from 16 May 2019 to the extent that they prohibit the manufacture, sale, transfer or acquisition of such weapons. The prohibition on possession came into force in March 2021, following the completion of surrender and compensation arrangements.

2020

The Surrender of Offensive Weapons (Compensation) Regulations 2020

Offensive Weapons Act 2019

On 10 December the government launched the compensation and surrender arrangements that apply in relation to certain firearms and offensive weapons. The scheme will run for 3 months and ends on 9 March 2021. No claims for compensation will be accepted after this date.

The scheme is being run in advance of the government commencing the prohibitions relating to rapid firing rifles and certain knives and other offensive weapons within the Offensive Weapons Act 2019.

Circular 004/2020: Firearms licensing - EU exit

This circular sets out changes to firearms legislation because of the UK's exit from the EU. The changes are contained in Part 15 of the Law Enforcement and Security (Amendment) (EU Exit) Regulations 2019, which comes into effect when the transition period ends on 31 December 2020.

2021

Circular 001/2021: Antique firearms

This circular sets out changes to the controls on antique firearms made by the Antique Firearms Regulations 2021 ("the Antique Regulations") and the Policing and Crime Act 2017 (Commencement No.11 and Transitional Provisions) Regulations 2021 ("the Commencement Regulations"), which bring into effect section 126 of the 2017 Act, in so far as it is not already commenced, and contain relevant transitional arrangements. These changes come into effect on 22 March 2021.

Circular 002/2021: The Firearms (Amendment) Rules 2021

This circular sets out changes to the Firearms Rules 1998 which will take effect from 7 May 2021, and introduce changes relating to: the prescribed forms for firearm and shotgun certificates, enabling recording of the "unique identifying mark" on the firearm or shotgun or its component parts clarification of the obligation to inform the chief officer of police of the theft, loss or

destruction in Great Britain of a firearm or shotgun certificate, or of any firearm or shotgun or ammunition to which the certificate relates. Ω

HOW TO DEFINE A FIREARM?

This question pops up from time to time and recently on the SRA Facebook page. While many 'anti'-types will say that it's designed to kill, the actual definition of a firearm is that it's designed to launch a projectile. After that, what the projectile is and what it is intended for comes next.

After that you can have a lawful object used for an unlawful purpose, an unlawful object used for a lawful purpose and an unlawful object used for an unlawful purpose.

Examples of handguns which were not 'fighting' handguns include; target Pistols, Saloon pistols, Air pistols, duelling pistols, Devilliers wax pistols, pocket pistols and revolvers for self defence and miniatures for collectors, hunting pistols, shot pistols coup de grace, flare pistols, line throwers., humane killers, captive bolt, bulleted, electrical, blank firing pistols and revolvers for starting races, for fast draw competitions, for the movies, air pistols, pneumatic, air cartridge, CO2, air soft.

Any of these could be used as a weapon, same as sand on the beach can. It's all a question of what is being done at the time.

The government legislated earlier this year (2021) in respect of antique pistols. The Firearms Act 1968 says that nothing in it (i.e., 'licensing'

requirements) applied to antiques possessed as curiosities or ornaments and ever since the Home Office took over 'control' of firearms legislation from the Ministry of Defence in 1969 there's been a running battle between them, collectors and the courts as to what an antique is.

The matter was settled, sort of, in 1977 when the Court of Appeal handed down their judgment in the case of *Richards v Curwen*, which stated that the two legs on which the definition stood were (a) possession solely as a curiosity or ornament and then (b) age. They rejected the Home Office position of the relevance of the 'availability of ammunition' but could not envisage firearms made in the 20th century as antiques. The two revolvers in the case were made in the 1890s.

Court of Appeal decisions become common law, according to Lord Bingham, but the Home Office, CPS guidelines and police ignored the decision and continued to prosecute collectors in possession of firearms that took 'modern' ammunition. In 1992, they published an 'obsolete calibre list' guiding the police not to prosecute in respect of antique firearms chambering listed cartridges.

None of the cartridges still in production appeared on the list, such as .22"LR and 9x19mm. That led to another Court of Appeal decision in 1994, - *R v Brown* - in which Lord Butler-Sloss said (of a 1906 dated War Office pattern rifle) that time had moved on and so must the definition.

The 1997 firearms legislation banned handguns in the UK but

created exemptions for antique pistols not on the obsolete calibre list to be kept as collectors' items at home (section 7(1)) or at a secure range for use (section 7(3)). 9mm pistols made before 1919 were being allowed on FACs under these exemptions and more modern ones have been allowed for humane despatch - carried by deer stalkers for close range shots.

The police carried on prosecuting possession of antique firearms that weren't listed and the courts kept on acquitting owners who pleaded not guilty. The police 'pushing the envelope' led to acquittals of the owner of a 1942-manufactured Lanchester submachine gun and a 1946-manufactured Inglis Browning GP35 pistol.

In 2017, the government legislated in the Policing and Crime Act the facility to amend the Firearms Act with definitions of antique firearms by reference to calibre. Before enacting the proposed regulations, the Home Office consulted the usual suspects about the content of the obsolete calibre list. They added 23 rifle calibres to it and removed 7 revolver cartridges; all fairly common 1870s central fire black powder ones.

The Home Office need to act was based on a handful of obsolete calibre handguns having been used for homicidal purposes in the last twenty years or so. A rogue dealer was convicted of supplying obsolete calibre handguns and suitable ammunition to the underworld (Operation Endeavour) while at least one other registered dealer was acquitted of all

charges relating to his possession of antique revolvers, but not in time for him to resume trading. 18 Months on bail with the police holding all his stock prevented his lawful trade to the extent that he had to give up his £3 million home in favour of a council house and life on the unemployment register.

The implementation of the antiques regulations means that owners of antique firearms that are not listed as exempt, have to apply for a firearm, or as the case may be, a shotgun certificate before the 21st September 2021; or sell them or at least transfer them to a firearms dealer or prohibited weapons dealer, depending on what it is to become after that date.

What may prove a sticking point is the police forces who aren't accepting applications for new certificates. It doesn't matter that some forces are 18 months behind with processing, as the regulations respect an application and any appeal as authority for continued possession in the interim.

What may matter more is backlogs at doctors' surgeries for the now compulsory medical for all applicants. Our local surgery (in Dyfed Powys police area) reports a backlog of more than a month and a club key member in Merseyside says that his police are rejecting applications unless the medical form and application form arrive at their headquarters within a week of each other.

The Home Office has had a policy for some years now of letting a collective of firearms 'licensing' managers come up with ways of not doing their jobs:

i.e. looking for ways of obstructing applications instead of following the path set by law since 1966 in the case of *Joy v Chief Constable of Dumfries and Galloway* – that chief officers should consider the application from the point of view of the applicant and not from that of a possible objector.

You're going to struggle to find any police force acting lawfully towards certificate and wannabe certificate holders now. We're asking our Scottish rep to see if shooters can gain any protection against such behaviour via Scotland's new hate crime legislation, given how obvious the naked aggression towards our pastime is.

AND HE WROTE: Being a target or field shooter in the UK is about as attractive as being a member of the Uyghurs in China.

The State tightly monitors all media coverage so that it is almost impossible to gain the support of any kind from the remainder of the population. The fact that we are the only sport not within the bailiwick of the Dept for Culture Media and Sport, but rather the Home Office says it all. Even the titles of sections dealing with 'licence' holders reveals their opinion of us.

Imagine the righteous outrage if the governing bodies for boxing and other martial arts discovered the name the section overlooking their activities was 'The Serious Violence Unit.' If you think that's insulting, it was once called, 'The Action against Violent Crime and Civil Disorder Unit.'

'Licencing' branch staff appear to qualify for the post by being substandard for regular police work.

They often compensate for their lack of knowledge of actual firearms legislation by exuding the charm of a flesh-eating virus.

HOW THE GUIDANCE MANUAL BECAME A DOUBLE-EDGED WEAPON

In or around the advent of the 1968 Firearms Act, the absence of knowledge of licencing branch staff became embarrassingly obvious. Rather than directing Chief Constables to replace these drones, the Home Office created a 'Readers' Digest,' document to explain the obvious to the hard of thinking. This manual was for many years a restricted document, but over the years sufficient copies had escaped into the wild, that they declassified it and made it available via Her Majesty's Stationary Office (HMSO).

This made it possible for those interested in such affairs to see the reasons for some of the liberties taken by 'licencing' officers. The manual, in its early versions, was not always an accurate reflection of the law, but at that time the law itself was a lot less restrictive.

As legislation became more Draconian, the manual's shortcomings became more insidious, and successive reprints rarely made things better. Eventually, technology caught up and since earlier this century it moved to a digital format. This, while convenient in one aspect, also makes it easier for someone to amend the text with little notice, so before embarking on a joust, it pays to ensure your version is up to

date. Beware wet paint on the Home Office door.

For about 10 years, one of the biggest howlers was the erroneous interpretation of a segment of Section 32, specifically the subtext dealing with one-for-one variations. Someone decided that you were only entitled to a free variation if you applied at the same time as announcing the sale/transfer of the firearm you held. To avoid catching a bill for £26 for a service that should be free, people applied immediately, altering the authority when they found something that caught their eye. This could have rendered them open to a charge under Section 29 of the Act, but who cares?

This 'misprint' was sorted a few years ago, but yours truly still bears the scars of trying and failing to point out to both the Home Office and my local chapter of the Blue Knights they were in error.

ENTER THE POLICE AND CRIME ACT 2017

Irrespective of how correct the text, throughout this period, the use of the manual was entirely optional. Traditionally, if the manual suggested a restrictive option, 'licencing' branch staff clung to it as if Moses had brought it down with the other regulations. If it gave shooters the benefit of the doubt, however, they behaved as if it didn't exist. That 'heads we win, tails you lose,' situation changed with the arrival of the Policing and Crime Act. This was a multi-layered item and one of its sections (133) added several new items to the Firearms Act viz. Section 55A. Subsection (4) of this new addition states that the chief officer

must *have regard* for advice received, i.e. The guide's contents are nowhere near as optional as they once were.

The term 'have regard' essentially means that the chief constable is not compelled to follow the advice, but he must have a clear reason for disregarding what it suggests. And the reason for that wording is in Home Office newspeak that the pre-2017 guidance is 'non-statutory'. Statutory guidance has started to dribble forth from the Home Office and according to their press release, (in this journal above) there's more to come.

This is where we are now, but, as we continually find to our frustration, many 'licencing' branches still haven't caught up. As far as they are concerned, the guide is still entirely optional, and at least two cases are the direct result of this refusal to do what it says.

One case, that of Kevin Jenkins, came about as the reasons for refusal hinged on a lack of sufficient medical information that was the responsibility of the police to facilitate. The other (yours truly) is a litany of colouring outside the lines, of both the advice of the guide as well as other direct sections of the Firearms Act.

Kevin's case was successful, but between specialist referrals and a solid barrister, his family are down £10K. The Suspect's case is still ongoing. Ω

HATE CRIME

First, the Scottish Government Press Release:

Victims and communities targeted by hate crime will have greater

protection after Parliament voted to pass the Hate Crime and Public Order (Scotland) Bill.

The legislation will modernise, consolidate and extend existing hate crime law ensuring it is fit for the 21st Century. Through its passing, 'stirring up' of hatred offences will now apply to additional characteristics listed in the Bill: age, disability, religion, sexual orientation, transgender identity and variations in sex characteristics. These new protections will add to the long-standing stirring up racial hatred offences, which have been in place since 1986 and have been retained in largely the same form within the Bill.

Justice Secretary Humza Yousaf said:

"Through the passing of this landmark Bill, Parliament has sent a strong and clear message to victims, perpetrators, communities and to wider society that offences motivated by prejudice will be treated seriously and will not be tolerated – I am delighted Holyrood has backed this powerful legislation that is fitting for the Scotland we live in.

"We must remember why this Bill is so necessary, every day in Scotland around 18 hate crimes are committed. The effects of these crimes are felt deeply by those targeted and this prejudice has a pernicious effect on the health of a society and its communities. Not only that, the toll hate crime takes on its victims, their families and communities, is immense.

"The Bill's passage has shown Holyrood at its very best – a

collaborative, diverse and determined Parliament which we should all be proud of. Robust scrutiny has ensured we have met the right balance between protecting groups targeted by hate crime and respecting people's rights to free speech.

"I look forward to overseeing the implementation of this legislation which will ensure Scotland's justice system can bring perpetrators to account and provide sufficient protection for individuals and communities harmed by hate crimes."

Background

The Hate Crime Bill was introduced to Parliament in April 2020 for consideration following the independent review of Scotland's hate crime legislation carried out by Lord Bracadale which recommended consolidation of all hate crime law into one Bill.

The Bill updates the list of characteristics protected under hate crime legislation and proposes the addition of age to this list – where there is a statutory aggravation for offences motivated by prejudice. The Bill also provides for new 'stirring up' of hatred offences that would apply to all characteristics listed in the Bill: age, disability, race, religion, sexual orientation, transgender identity and variations in sex characteristics. A statutory aggravation, in the hate crime context, is where the offender demonstrated, or was motivated by, malice and ill-will based on a listed characteristic (or characteristics). If

the offender is found guilty, the court must take the aggravation into account when determining the sentence. Currently these offences only apply to stirring up racial hatred which has been an offence in Scots law – and the whole of the UK – for decades. The current stirring up of racial hatred offences are in the Public Order Act 1986.

The amendment(s) on freedom of expression answer the calls for more comprehensive freedom of expression provision within the Bill, striking an appropriate balance between providing the necessary clarity and reassurance as to the boundaries of the stirring up hatred offences while not singling out specific communities. Ω

And from our Scottish correspondent, 'The Usual Suspect'

The problem that concerns me is two-fold.

First, the new Hate Crime Bill has no dwelling defence, so a remark made under one's own roof could land you in court. As Prof Jordan Peterson stated, if you cannot expound ideas for fear of hurting someone's feelings, you're not going to be able to discuss things properly, if at all.

If we accept the notion that Castle Doctrine expects us to back away from potential trouble other than when we are at home, then I'd say the onus should be on the 'offended' person to leave.

The second issue is that the text says that 'one source' may be sufficient for a charge to go forward. In most circumstances, if only one person

makes a claim, there is no case, i.e. he said, he said. The text says one source, not one witness, and I wonder if they're planning to include conversation scooped up by mobile phones or devices such as Alexa or Siri.

I've a 'Boys Own' annual from the 70's that showed a device which looked like a 'phone, but when you dialled someone's number, their phone didn't ring but it activated their phone's microphone. I'm sure they can do the same to mobiles, so how long before they prosecute someone like me for talking to myself? Ω

Classifying a Cape Rifle

The classic 'cape rifle' is a double barrelled, side by side, hammer gun with seven-leaf African rear sights.



What 'cape rifle' or sometimes 'cape gun' means in auction catalogues and such is a combination rifle/shotgun that it has the left barrel rifled and the right one smoothbored.



The rifled barrels, in our limited experience, were nearly always chambered for a British military rifle

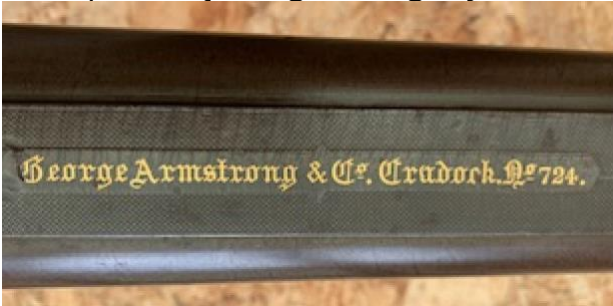
cartridge in later years after breechloading was invented. A lot of earlier 'cape rifles' were made as muzzle loaders.

These were intended for game hunters, offering the convenience of a rifle for big game and a shotgun for birds in one gun. One of our mentors and founder members, the late Harold Winckler reminisced that his dad - a great white hunter in India - would go out with five flunkies behind him, each carrying a different rifle or gun. Winckler senior's skill was in deciding which weapon to call up when he saw the grass twitch: the shotgun for a rock dove or a rifle for a tiger? Getting it wrong could involve loss of face, possibly literally.

Other versions were and are available. Modern combination guns are usually over/unders. The one we had in Corsica for the boar hunting was made by Brno in 7x57mm over 12 bore. Three-barrel guns - a double barrelled shotgun with a rifled barrel under- are usually German and get catalogued as 'drillings', which is a corruption of the German for three-shot. Four-barrelled models are *vierlings* for the same reason. While on the subject of Germans, they did make cape rifles, but they always put the rifled barrel on the right to be worked by the front trigger: and in their case often a set trigger.

The illustrated model was in a batch of five capes a colleague in the gun trade imported from South Africa back in the days before the South African government banned the export of its heritage. This one is chambered .45"

No2 musket – the Westley Richards .500/450” and 16 bore, so two civilian cartridges. Two of the others were .577-450” Martini Henry/12 bore, one was a .303”/12 bore and one – just to be different – was 9mm rimfire rifled/9mm (no 3 garden gun) smooth.



The illustrated gun was made in South Africa by George Armstrong & Co, Cradock, a firm which closed its doors in 1915; more than a hundred years ago. While ‘popularity’ of these game guns is usually associated with the nineteenth century prior to the Boer War, it is likely that traditionalists continued using them well into the twentieth century. The black powder cartridges mentioned certainly remained in production until WW2 by local enterprises if not mainstream manufacturers.



The illustrated gun has a patch box on the stock and ramrod rings. When the gun came in it had a fine ebony

ramrod with a brass bell shaped nose to it in those rings. Then the gun went to Classic Arms editor Geoff Allen for the barrels to be re-browned and it came back without its valuable ramrod.



Sticky fingers was just one of his problems. The patchbox and ramrod would have been essential when cape rifles were made as muzzle loaders, but to find them on a breechloader.... a selling point to a real traditionalist, or...



Looking more closely, we saw that the teardrop on the right side of the stock is very much worn, like a bun penny coin after a hundred years in circulation and looking on the left side, it's gone even further.



One must wonder whether this was a muzzle-loader in the first place and has been

upgraded to breechloading at some time.

The .500/450" cartridge dates from the late 1870s when it was black powder propelled. Smokeless variants started to appear in the early 1900s.

Classification used to be simple enough and despite knowing that this gun was in South Africa until the 1990s, we'll run the classification algorithm as though it had always been in the UK. The rule of thumb in 1920 was that if it was usable and in use, it was a firearm and if it was obsolete and past use it was an antique: so, in 1920 this beast would have passed muster as a firearm. We think that because the ammunition was still being made by local smiths and it was going to take WW2 and the resultant surplus of nitro-powered repeating rifles, not to mention the supply of older cartridges drying up, to interest the owner of this piece in modernising his approach to big game hunting.

He'd have regarded it as obsolete by 1950, if he was still living; balance of probability is that the last user was dead by then and his descendant put it in the museum from whence it came with the others and where its firing pins were removed.

UK law sprung shotgun certificates on shotgun owners in 1968. Had this gun been in the UK then, the chances are that the owner would have regarded having a shotgun certificate as sufficient for its possession. After all, by then it was just a 16 bore shotgun with a rifled barrel for an unavailable cartridge soldered to it.

In 1977, the Court of Appeal heard the case of *Richards v Curwen* in which the court set out its 'fact and degree' test for defining an antique firearm. The decision specifically excluded the type of ammunition a gun was chambered for from the reckoning. The court took the view that if ammunition were adopted as part of the test, some ancient firearms would never ever become antiques.

The test was (a) possessed solely as a curiosity or ornament and (b) its age, obsolescence etc. Considering this gun specifically, if it was a wallhanger by 1977 it would meet the 'curiosity or ornament' definition. Age-wise; the wedge forend predates 1875, which is why we think the woodwork at least is from an earlier muzzle loader.

It has rebounding locks and while game gun builders adopted that technology soon after their invention in 1875, big game rifle makers didn't. Take-up was slow because there's something about the hammer striking the firing pin and holding it in the forwards position that make the whole deal seem more likely to go off when you want it to. Breechloading guns with non-rebounding locks must be half-cocked prior to loading. That makes reloading slower, as one must attend to the hammers twice and that's what attracted big game riflemen to rebounding locks once word got round that there was no loss of positivity in the cartridge ignition.

Moving on, the 500-450" cartridge wasn't available in 1977, except possibly by special order somewhere and that would also be true of 16 bore

black powder cartridges and not having any of either would support the 'curiosity or ornament' definition of an antique.

In 1977, we'd have claimed to a court that the gun was probably not more than a hundred years old in its current configuration and not less than sixty-two years old; based on what we think is re-barrelling by the original manufacturer having been undertaken before that firm closed for business in 1915.

In 1992, the Home Office published its 'obsolete calibre' list, still clinging to the notion that what cartridge a gun is chambered for makes a difference to its status and despite the Court of Appeal having rejected that argument. On their 'definition' the left (rifled) barrel was an antique in 1992 while the right (smooth) barrel wasn't.

A shot gun certificate holder would probably have succeeded in defending a prosecution by having a certificate for the right barrel and not requiring one for the left.

Somebody with this gun on his mantelpiece and no certificate would have succeeded in defending a prosecution by reference to *Richards v Curwen*, which Lord Bingham tells us in his book is the common law definition of an antique.

The 2017 Policing and Crime Act gave the Home Office a delegated authority to introduce regulations relating to antique firearms, which they did in March 2021 by way of a statutory instrument. This dredged up the incomplete and erratic 'obsolete calibre' definition – after a tweak in

which 23 rifle cartridges they missed before got added and seven handguns were removed for being used occasionally in crime. Except for the .320" which was taken off the antiques exemption for being too common.

The owner of this gun faces a fork in the road. The Home Office want such guns brought into the licensing system, and thus into the conflict zone in which the powers that be are doing everything possible to reduce the number of firearms in the hands of the public to an absolute minimum. You can't *increase* the number of firearms that require a certificate without *increasing* the number of firearms on certificates – unless you pull the same double-cross as in 2004 when air cartridge revolvers were put through this ordeal.

What happened then was that firearm certificate holders who applied for a variation for their air cartridge revolver got the variation granted, while no new certificates were issued to people who weren't already in the system. Attempted take-up of the requirement was less than 5% of owners and certificate variations went to less than 1% of the air cartridge revolvers in public possession, thus making the 'increased controls' on these low-powered air guns a failure.

If the owner applies this time around, no good reason is required for possession as 58(2) ending is enough. If the owner doesn't apply, he can continue to enjoy the peaceful possession of his property as per the Human Rights Act 1998 until someone

tries interfering with that right, whereupon it would appear that he can still rely on the common law definition of an antique firearm as set out in *Richards v Curwen* in 1977.

Or can he? Lawyers may argue that the statutory definition of an antique supersedes the common law one. The problem at that point is lawyers. The government's lawyers are funded by the taxpayer with public money for *prosecuting* but the legal aid fund for lawyers *defending* such a case have all but dried up. It's been the position for some years now that the crack down on firearms possession has resulted in increased conviction rates because nobody can afford the six figure sums involved in defending such cases.

But many have, nevertheless. The problem at this point was Jack Straw. As Home Secretary, he introduced the mandatory five-year gaol term for the *possession* of a prohibited small firearm. He misled us all when he said that the penalty would be for *carrying*, or he meant well (which is doubtful) and his officials moved the goalposts assuming he wouldn't notice; in which case he didn't.

Before Jack Straw, the going rate for possession of a handgun without a certificate in the hands of a club official, member or other such person in the UK's firearms subculture was £150. Imprisonment was reserved for bad people with evil intentions.

The Home Office has been lumping the respectable firearms subculture together with the scrote community for many years now and treats them all the same, but where gang types plead

guilty to possession of a firearm to enhance their street cred (or argue self-defence and don't get prosecuted – see the John Hurst obituary elsewhere in this issue) people who thought they were law abiding *have* to find the means to defend their position because of the five year gaol term awaiting them if they don't.

That led to juries recognising a 1942 dated Lanchester submachine gun as an antique and a 1946 Inglis Browning GP35. The powers that be pushed the envelope and the common law pushed back. That led to the Law Society rant to the Home Office – they'd have been satisfied with antique firearms not changing hands for cash – and then the current mess in which the conflict between the common law and Home Office secondary legislation has yet to attract the attention of the courts. We'll let you know if anything happens. Ω

A SILENT QUESTION

Which as an irrelevant aside, reminds us of the late Revd. Dr Ian Paisley and his 'silent collection'. We witnessed both versions of his approach to the collection *being taken at services or rallies: one was to raise the receiving plate and announce, "***you have been weighed in the balance and found wanting***", which meant it wasn't heavy enough and the sidesmen* had to go round again. Sid James used that line in 'Carry on Dick' but without a Northern Irish accent so whether he cribbed it from the late Ian Paisley or the other way around we can't say.

Dr Paisley's other one was "**tonight's collection will be a silent collection**", which meant paper money only and we heard that not so long after the ten-shilling note had been withdrawn.

Anyway, this one is a question of silencers – sound moderators if you prefer – and was raised by a long-standing member in Thames Valley. His starting point was that he obtained a variation to acquire a sound moderator for his rifle. He then made the moderator and advised the chief constable accordingly to replace the 'authority to acquire' with 'authority to possess'.

We had a case in the 1980s where our member followed this track, except he wanted to make a de Lisle clone in .45". He obtained the stock and action from a Martini Henry and a .45" Reising sub machine gun barrel, which he rechambered to .45" Long Colt. He'd got all the parts for making the sound moderator and had tested the assembly of the barrel to the action before police landed on him.

The issue before the court was that he had authority to *acquire*, but not to *possess*, so while a gun trader would not have been regarded as needing to register the gun (not having finished making it) the FAC holder should have and sooner than he didn't.

TVP raised no issue about the piece being made; they focussed on 'proof', to which we collectively said, "Huh?" In our reply to our member we said,

"Some manufacturers put their products through proof and most don't. The proof masters will 'prove' a

moderator if someone wants them to but it's not a requirement so there would be no offence if one is not proved.

The offence relating to proof is 'selling or exposing for sale', so if your silencer required proof, which it doesn't; it would only be an offence if you advertised it for sale, except it doesn't have to be proved so there would be no offence, and if there were an offence relating to it being unproved the proof master would be the prosecuting authority, not the police."

Jackson Rifles maintain that it doesn't require proof because it's not a barrel. The proof masters only put proof marks on barrels. Marks on bolts, receivers etc. are view marks, not proof marks.

The 2016 Home Office guidance to police on firearms licensing law is silent about proof for sound moderators, as are the notes on legislative changes made since the guidance was drafted. (listed elsewhere in this Journal)

Section 4 of the gun barrel proof act 1868 requires those parts of a small arm that contain any or all the charge exploded on firing to be proof tested. A sound moderator doesn't contain the charge and is thus exempt.

An exception to this might be integral moderators - see *Broome v Walter* (1989). (Barney Walter was prosecuted for selling de Lisle carbines to certificate holders whose certificates didn't mention the integral silencer as part of the description – and was acquitted, Ed) where a sound

moderator is integral to the barrel it doesn't require a separate authority, but the firearm should have been tested with it fitted and marked as viewed.

Your policeman is clearly not relying on any source known to law for his position, which is in any event irrelevant in a case of possession.”

Our member came back and said that his policeman “then advised that if I decide not to prove, a 'mark' of my choice - for identification/traceability purposes will need to be put on it and I will need to advise him what this is. Presumably the proof House would stamp/mark if I take that route.....? The policeman confirmed that the Proof House have confirmed my moderator does not require proving unless it is to be sold, however, they advise that for insurance purposes – cover may be invalid if an incident occurred and the moderator was found to be un-proved – that it is proved.

We said, “Insurance covers the consequences of your negligence to third parties, so if you've made a defective sound moderator which blows up, the insurance would cover third party claims against you. . If you prove the moderator and it subsequently blows up, you weren't negligent.

You're not covered for personal injury either way. If you have personal injury insurance a claim could be reduced proportionately if you contributed negligence by making a defective moderator. I don't know how the proof house mark non-metallic moderators as I've never seen a proved

one. If I had to mark my non-metallic sound biter moderator for identification purposes, I'd try making my mark on the inside of the screw-on nose cap. I have an engraving tool, but a hot pin would do just as well.”

Lurking behind this issue is why the police are interested in the first place. The police contact was clearly just making stuff up, trying to find a way to be awkward to the certificate holder over a matter in which the police have no locus. And sending a policeman off on a wild goose chase may amount to ‘wasting police time’, which is a criminal offence.

*NOTES FOR NON-CHURCH GOERS

1. **Collection:** gifts of money ‘collected’ from attendees at a service or rally.
2. **Sidesmen:** members of the congregation appointed by the Parochial Church Council to garner the collection. Ω

John Bernard Hurst (deceased)

29.6.55 – 12.5.21 aged 64

John's unexpected death of a stroke in May caught everyone by surprise and left a trail of loose ends and complications for those around him. Because his life was a series of phases, nobody is well placed to write his obituary. What we've elected to do is edit together the comments that people have sent us and this may run into the autumn issue as well. First, Association Secretary Richard Law with some background.

“I'd known John on and off for more than twenty years. A thirty-year veteran of Metropolitan Police Service, which he joined in 1978, I first met him

as half a double act with Mike Burke, a process server by occupation.



John and Mike had researched what they described as the Right to Keep and Bear Arms, or RKBA for short.

I'll interject at this point that we had an unresolved 'disagreement' about this, which you'll need to be a real anorak to follow. In the Bill of Rights, mention is made of the 'right' for protestants to wear swords. The complication is reading that in modern times. Back in 1688, the protestant/catholic thing had swung back and forth. King James II had issued statutes overturning Elizabethan laws that prevented Catholics doing this and that because they owed fealty to the Pope who was the head of another state. It was a 'you can't have two masters' argument.

Long story short, the 'arms' that the Bill of Rights 'restores' to protestants is their heraldic *coats of arms* and once

they can wear them again, they are demonstrating their right at common law to wear their swords – the badge of office of gentlemen.

John had become aware, while serving as a police constable, that armed thugs who claimed 'defence' for their weapons when caught carrying guns, weren't charged. He formed the opinion that the Crown Prosecution Service didn't want to get into a test case on the subject.

Firearms have a peculiar place in law. The Firearms Act requires one to hold a firearm certificate to possess a firearm, *subject to any exemption under this Act*. There are many exemptions within the Act: some are qualified, while others are not. Registered firearms dealers, for example, are exempted from the need to hold a firearm certificate for possession of firearms *in the ordinary course of their business*. Police officers are likewise exempted *in the course of their duties* while Crown Servants are just exempted: hence the court cases that arise when they take their work home. John himself benefitted from an unqualified exemption – that of the miniature rifle range operator – section 11(4) of the Act. It meant he could have sub-.23" rifles and ammunition without a certificate in his possession *at any time*.

Persons in lawful possession of firearms can be charged under section 19 of the Firearms Act for having a firearm, together with suitable ammunition or a loaded shot gun in a public place without lawful authority or reasonable excuse and since this

charge can only be applied to someone in lawful possession of the firearm or loaded shot gun, 'lawful authority' refers to what they are doing at the time – such as crossing a public road from one part of a private estate to another without unloading their shotgun. The 'Full Metal Jacket' club prosecution (see Journal 67) came about because they took a rifle and ammunition to Camden; nowhere near their home or their range and presumed, by the charge, to be for a nefarious purpose.

Jack Straw muddied the waters somewhat by extending section 19 to include other lawfully possessed firearms, viz ***“an air weapon (whether loaded or not)...or an imitation firearm”***. Thugs weren't tested at law under section 19, as that would have flagged up the fact that possession without a certificate was lawful. If they'd gone that route, the CPS would have been testing whether going armed was for an offensive or defensive purpose and there they did not want to go.

Mike Burke took a judicial review to the High Court seeking the court's view on his 'right' to possess a firearm for defence without a certificate. The court said that had ceased to be the case, as the Firearms Act had superseded common law.

Another researcher, Mr. Edward Beck, came to the view that the Firearms Acts were solely to do with sporting guns and had nothing to do with those possessed for the defence of life, liberty, property, or defence of the realm. His conclusion was that

Parliament could only amend its own laws; so they couldn't amend the bill of rights because it wasn't an Act of Parliament, same as they couldn't amend the ten commandments. In the case of the ten commandments, Parliament has chosen not to enforce seven of them.

Beck was vindicated when Lord Justice Laws said, in the Metric Martyrs case, (*Thorburn v Sunderland City Council* – [2002] EWHC 195 [admin]) that Parliamentary legislation could only amend the common law if it said that was what it was doing on its face.

That opened a can of worms we're still trying to understand the scope of. Lord Bingham said in his book, 'the rule of law' that decisions from the courts of record *become* common law, so *Richards v Curwen* (1977), which sets out the test of fact and degree for whether a firearm benefits from the antiques (section 58.2) or not is the common law test. The Policing and Crime Act 2017 created the facility for the Home Office to introduce a regulatory definition of an antique firearm, which they did in 2021 – dredging up the discredited 'definition' the Court of Appeal rejected in 1977 – based on the ammunition the firearm could chamber.

It seemed to John Hurst – and to the rest of us – that the Home Office's secondary legislation didn't impact on common law at all. In effect, it defines what an antique *is* in Home Office newspeak, but can't define what *isn't* an antique, as that's already settled in common law by the fact and degree test in *Richards V Curwen*.

The Firearms Act 1920 was introduced as an anti-crime bill: at the time, common law was suspended by the Wartime Emergency Powers Act as Britain was still at war against Germany. The 1918 end to the fighting was just an armistice. Edward Beck's view was that the Firearms Act in 1920 was a wartime emergency piece of legislation which should have lapsed when the peace treaty was settled in 1922.

John Hurst's research found Commander Kenworthy being assured in the House of Commons by the Home Secretary that the proposed Firearms Act would make no difference to his keeping his guns. All such exchanges are printed in Hansard – the official report.

Time moved on and John left the police after his thirty years and I'm not the best person to explain his subsequent exploits, save to say he moved to Wales and invested in my property as a possible post-apocalyptic venue. I suppose he'd rehearsed scenarios when in the police for various emergencies. The only one I remember him mentioning was how to lock London down at the M25 ring to prevent population movement. He was on duty and involved in the 7/7 bombing aftermath, about which he said that post-mortems were not carried out on the casualties. Dr Richard Shepherd confirmed that in his book (review in issue 68): he said that the detailed post mortems of the Marchioness casualties caused distress to the families, thought with hindsight to be unnecessary as the causes of

death – consequential to being passengers in a boat that sank after a collision – was obvious enough.

The 7/7 victims' relatives wanted to know if their loved ones might have survived with a more rapid response to their plight underground and that information wasn't determined, as post-mortems weren't carried out.

The delay in getting help to the victims that day was, according to John Hurst, because of concerns that the bombs might have been 'dirty' bombs – i.e. containing atomic substances (such as from luminous watch dials or smoke detectors), so first responders had to wait until Geiger counters were brought from store at Lippits Hill, Essex, to central London for checks to be carried out.

John bought a quad bike, a caravan, an Isuzu Trooper 4X4, a dozen personal radios and a load of food for long term storage. He also had shotguns and some .22" rifles. He seemed to have taken to heart the advice in the movie 'Gremlins 2' – ***"we're telling everyone to put their money into canned food and shotguns.."*** but then he gradually rowed back on it all. He had an accident on the quad after which Tina went to hospital by air ambulance. I don't remember him riding the quad after that and he eventually traded after Tina died for a car.

He did a lot of pro bono work on various cases – of necessity, as legal aid is now restricted to just the prosecution in most cases - and seemed to find ways of not winning them. I can't say to what extent he was

successful or not; that we must leave to the people he helped to comment on, as John didn't publish his results.

He was bankrupted in the process. His partner Tina died unexpectedly while a passenger in John's car and his finances shrivelled to the point that he recovered his effects to sell. He tended to disappear off my radar for two or three years at a stretch, during which there were sightings and mentions, but no direct contact.

The last time I saw him was eleven months after Tina died. He wanted me to assess his progress in the bereavement process following Tina's death, which I did. I took the view that he was within the normal range of the process. He looked ten years younger than the time before that when he dragged me to a conference to talk about my book on the common law.

He told me about a new light of his darkness in Rugeley, Staffs, and he also recovered his shotguns from storage, pointedly leaving one forend and a couple of cartridge belts behind, as though reserving the locker. He said he had a certificate renewal coming up, hence wanting everything together ready.

He called me about a month before the first lockdown in March 2020 and said he wanted to avail himself of my armoury to warehouse his guns in. I said OK and then nothing happened. Lockdown lifted in July 2020 and I got an email from him booking the range for his club and then another one, on the day, cancelling the booking. The last time he called me was at the beginning of May 2021 with the same

request; to move his guns into storage. I said OK.

We had a Range Conducting Officers Course on the 15th May, which John was supposed to come to and it was Edward Beck chasing him up to attend who found that John had died on the 12th. Word spread quickly.

RL Ω

John Hurst Obituary (by Edward Beck)

Born 29th June 1955, Died 13th May 2021

It's with great sadness that we learnt of the sudden death, of our friend, colleague and co-conspirator, John Bernard Hurst. He had taken ill, and was rushed into hospital in Wales, where he latterly lived. He died of a stroke, and details are a bit sketchy and unimportant, as he seemed to have several strokes that fateful afternoon. Nothing strange, no conspiracy theories, but as John was estranged from his family, now grown-up but from Ickenham near Uxbridge, it has been hard to find out where he lived and who with; such is modern life where there are often no closely knit communities like we were used to in the past. Latterly, John had feet problems, caused by his diabetes.

John had been a long serving police officer of approximately 30 years in or around Uxbridge, where he was affectionately known as "The Streetmonster" by his colleagues, as he was around six foot four, 25 stone, and a black belt at judo, plus military training when he was in the army while at university. Apparently, this

made him the go-to cop for riots, fights etc, as he was extremely capable in this respect. John chose to be a street cop, and despite a university degree, he never wanted promotion. However, he was the Police Federation rep for his local police station, representing 300 Police Officers in legal disputes etc.

Anyway, I'm the one responsible for introducing the double act of John Hurst & Mike Burke to SRA Secretary Richard Law. My intentions were that this trio could offer expert witness and specialist legal advice to others, but that didn't happen. John was always magnificent, but impossible to contact. John was a nightmare to communicate with; extremely unreliable and would go "off-radar" for several weeks at a time before clocking in again!

He wouldn't answer his phone, What's App, Zello, Telegram, or email for a fortnight and more!

However, due to learning his & Mike Burke's expert research, we all certainly received a magnificent clarification of the law; hence the SRA going back to the intended Rule of Law, and other shooting organisations operating under "policy and not law". Roughly speaking, shooters in Scotland, England & Wales have all been shafted by "policy and not law", and lots of individuals who have been officials in shooting organisations in the past have allowed, if not encouraged this to happen. Our Firearms Act is strangely worded. It can be interpreted as strictly as you could ever hope for, yet it can also be read in an identical manner that Judge Roy Bean, from 1880s Nevada

Territory would have been familiar with. Put plenty of obscure, strange, and woolly words and phrases in the Act, and untrained policemen can enforce it in a Draconian manner. However, as time passes, dissatisfaction grows, and unfairness becomes a daily pattern, cracks were starting to show in the "policy and not law" policy. It's starting to be challenged.

I first met John & Mike at Windsor Rifle Club shoots at Bisley in 2002, I might have the name slightly wrong, but I had known them via phone and email from 1998, as they'd found out I was a witness against the police in 1997. It's a horrific story: I'd to attend the local Procurator-Fiscal about a Glock "questioning aid" the policeman had, and he explained the Common Law exemption from the Firearms Act for such, which means only "sporting guns" need to be registered.

After 2002, I both saw and heard from John and Mike regularly, even becoming a visitor to their homes. Both had accumulated vast libraries and huge numbers of court cases by then, as they'd both been researching the 1997 Firearms Act, which led to confiscation of pistols in Scotland, England & Wales. Knowing what we know now, there was no need for this to happen, but everyone in authority was under the unlawful "policy not law" mantra. They had worked out that court cases and law books useful to shooters would become hard to find, (Greenly V Lawrence 1949 seems to have been expunged, Ed) and some documents would become slightly

altered in reprints. Both John & Mike had been invited to speak in the House of Lords about their research, which relied heavily upon constitutional statutes in force such as Magna Carta, Bill of Rights, Petition of Right, Deed of Right and so on. It quickly became apparent that the more controversial legislation was brought in without receiving Royal Assent, in the years when a Sovereign died and there was no Sovereign on the throne as they'd not yet taken the Coronation Oath. This includes 1911, 1920, 1936, and 1953. You'll immediately spot the 1920 Firearms Act, Official Secrets Act 1911, Parliament Act 1911, Firearms Act of 1936 or 1937 (I've forgotten – [both, editor]), and the Prevention of Crime Act 1953.



John & Tina on a visit to Brixham 325 years after William of Orange invaded Britain there to start the 'glorious revolution'. Actually a coup.

Undoubtedly, our bureaucrats have been taught how to do this, with more wickedness likely to ensue on the death of Queen Elizabeth II. I bet they have a lot of material queued up for that upcoming inter-regnum.

As time marched on, more legal clarification occurred. Parliament had ensured after the 1920 Firearms Act, Common Law rights hadn't been taken away by subsequent legislation, and the "Metric Martyrs" court case confirmed this as correct; besides Parliament can only take away rights it has previously given. This allowed Mike Burke to carry his baton, lock-knife and pepper spray, inside and outside his home.

I could go on at great length and details about these "legal anomalies" and their repercussions, but it does turn out legal organisations are aware of them but would rather deceive us. If you want to challenge them, go to one of those unlawful "administrative courts", where "administrative law" has been brought in by stealth without even being debated in Parliament!

Anyway, John's life was spent tilting at windmills, fighting little legal cases and not reporting his results in print. One of his most famous YouTube victories was being present when a Judge in Birkenhead was arrested lawfully by an angry mob. I witnessed a Firearms Licencing officer having fear in his face when John told him he was arresting him for acting unlawfully. I have sought to preserve John's YouTube legacy, lest it gets expunged.

John was very active in Common Law circles, somewhere on the outskirts of the Freeman movement, the Magna Carta Society (he drew up the petition presented to The Queen by 25 Barons of the Realm, which she had to obey), British Constitution Group

(both giving talks to audiences and YouTube programs). He was the man who ran the Grand Juries at Telford (yep, still legal and lawful, just not used or financed!).

John had an unshakeable belief in Common Law and Constitutional Statutes, the law of God, the British and English way of life, belief in liberties by virtue of being British/English and so on. His grasp of law was equalled by an amazing grasp of history to show the relevance of the relationship between he who makes up laws and history of the time. Former Lord Chief Justice Lord Phillips knew of John, and confirmed John was correct, on the right side, and that administrative courts are unlawful, which led to extremely quiet changes in the unlawful magistrates' courts (many didn't comply with *Starr & Chalmers v Ruxton*, and *Kenny v Kenny*).

I could go on for days about the significance of John's work, which is relevant to us all, as he's responsible for educating us properly on legal matters. It was even confirmed he'd more knowledge than our hero, the late Colin Greenwood.

John was a huge character, in every sense, bringing knowledge, fun, mischievousness to us who knew him. He was a real-life Desperate Dan type character, huge man, immensely powerful, and always hungry!

Britain will miss John, but his research will be around for centuries. He's earned a rest, but I guess God has bigger plans for him! Sadly missed, never forgotten, I'm glad to have known him! **Edward Beck** Ω

FROM SAM PHIPPS.

My personal memories of John Hurst will be those of a true English gentleman, which he epitomized. Conservative in manner and despite his large frame, a gentle giant, though I would not have wished to confront him during his years as a Metropolitan Police Constable - an imposing figure, not to be trifled with!

John was kind, caring and generous. His passion and extensive knowledge of English law became his primary focus in his later years, an extension of his years in 'The Force'. He would go to enormous lengths to assist anyone who was in legal conflict with 'the system'. He would use the law against the lawyers - and invariably he knew far more than any of them!

He will be greatly missed by his large social media following who enjoyed his educational collection of YouTube videos, as well as his more recent live Q & A talk shows - all were related to English law - especially in reference to Magna Carta, the Bill of Rights, the Declaration of Rights - and with special emphasis on the Englishman's right to keep and bear arms; an element John fiercely defended.

John will be fondly remembered as a sincere, honest, and affectionate man. Rest in peace my friend, you were very much loved and will be missed enormously by me and countless fellow patriots who shared your vision and love for this great country. SP Ω

And if/when we hear from any of John's clients, we'll put their comments in the next issue - Ed. Ω

From Frank Berry.

I'm sorry to hear that John's no longer with us. While I appreciate that his tendency to go off radar at crucial times was a serious nuisance, I never thought of him as having bad intentions. The amount of legal knowledge he carried and or had access to will be hard to replace.

Cheers,

Frank. Ω

More from Sam on John

What a lovely idea. I think your missive is perfect, and I so agree with the last gentleman's comment - that John's habit of going off the radar was never intentional or contrived to offend, he would just so easily get side-tracked.

Put him in front of a PC/Tablet etc, and he was like a kid with a PlayStation - he was lost to the outside world. He would never cease looking, learning and listening to podcasts, videos etc on his favourite subjects, the law, guns, and past and present political events. He knew so much about the New World Order plans for our demise than anyone I know. I used to be open mouthed at some of his suggestions and discoveries, but now see he wasn't far off the mark with any of it. He'd studied and was involved and attended many secret meetings and conferences over the years with Tina,

I found a box full of DVD's on just some of those meetings - which of course Mike (John's brother) now has in his possession, I hope he doesn't bin them. John had met and knew many of the main players who fought the system - many of whom are now no

longer with us - taken out for speaking out - it's what they do.

It was hard to have an 'everyday conversation' with John, he would only 'tell you things' rather than converse on general life issues. I tackled him about it once, he said he didn't do small talk; everything he needed was in his head. As Frank, the other contributor says, John's knowledge will be hard to replace. I agree with that. Sam Phipps Ω



Thinking around what's 'out there'



A problem that has grown for the gun trade is that of anonymous hand-ins. Michael Yardley, using research by Dr A B Bailey as his starting point, calculated that an unregistered pool of 4 million firearms existed in the UK in 1988: a figure that was subsequently adopted by the Home Office.

The calculation was based on the numbers of firearms surrendered to police as deceased persons effects in London in the 1970s. The Met stopped publishing figures before 1980, so Dr Bailey didn't have anything more recent to work with when the 1988 firearms bill was hatching in Parliament. Michael Yardley's contribution was to multiply the

London figures by the national death rate and then pitch in a wild card.

First, the national death rate is 12.1 per thousand, so in very round figures, 2,000 firearms were handed in to the Met per 100,000 deaths. If that was one firearm per deceased person, 2% of the (adult) population have a gun stashed somewhere, or 912,000 firearms in unregistered possession.

That assumes a 100% hand-in to the police, which we all know isn't the case. Registered Firearms Dealers and auction houses receive some and many are inherited by next of kin: and it's what they do with them next that counts.

Moving back a bit, what's out there? Our starting point is that when new, practically every firearm was legally acquired by someone entitled to possess it. That means firearms bought prior to 1920 and shotguns bought before 1968. (We imported 4 million guns from Belgium between 1904 and 1914) Low-powered air guns bought at any time (or in Scotland prior to 2015): then there's souvenirs. British soldiers have brought trophies of war back from every battlefield they've ever been on and while a lot of them can be seen in museums, quite a few more can't.

During the Great War, the British Government gave war bond buyers captured German rifles, machine guns and artillery pieces as inducements to buy yet more war bonds. Every British officer had a sidearm, privately purchased and thus his personal property. (They were issued in WW2.)

In 1920, UK gun ownership was around 1 gun per 10 people, not counting 'antiques'. The 1920 Firearms Act admitted numerous exemptions, wasn't retrospective and only concerned itself with the possession of firearms with rifled barrels used for sporting purposes. Some firearms went onto certificates, while most went into clubs, cupboards, and drawers.

Now, the wild card: If 100% of deceased persons effects were handed in, the unregistered pool would have stood at less than a million firearms in 1988. Michael Yardley took a guess and plumped for a 25% hand-in rate – so if 100,000 deaths produces 2,000 guns handed into police in one year it means when multiplied out by the country as a whole, one unregistered gun per sixteen households (Dr Bailey) and 4 million unregistered guns at large (Michael Yardley).

The other statistic to be aware of is that when it comes to hand-in figures, all is not what it seems. Colin Greenwood said that individual rounds of ammunition were counted as firearms in the 1968 amnesty in which a third of the 25,000 hand-ins were described by the Home Office as 'unwanted' shot guns.

Air guns also feature in the photographs, such as on the front of Colin Greenwood's book 'Firearms Control' (Routledge 1972) and presumably thus in the figures. Nevertheless, the government figure of 40,000 guns handed in during the 1988 amnesty vindicated the SRA's prediction that the amnesty would

gather 1% of the unregistered firearms out there and verified Michael Yardley's calculation of 4 million guns in the unregistered pool.

Now here's another wild card: the passage of time. Firearms made before 1920 are now over 100 years old; as is everything made for and used in the Great War, so the unregistered pool is both aging at one end and being topped up at the other.

It has always contained many antiques. Some firearms get used and used until worn out and stashed over the mantelpiece or discarded altogether. The Texas Rangers Hall of Fame Museum in Waco has a percussion pea rifle on show; said to have belonged to Jim Bowie, who was one of those who died at the Alamo during the 1836 battle.

What's interesting about the pea rifle, apart from its provenance, is its rarity. 'Pea' rifles were typically around 20 inches of barrel and muzzle loaded with a .36" calibre or 100-bore ball: perfect for small game like rabbits and when the breech-loading cartridge rook rifles came along they aped the pea rifle's ballistics. In short, pea rifles were so good, people wore them out, so survivors like the Bowie rifle are rare.

Other antiques simply fell into disuse: duelling pistols stopped being used because duelling was banned and as they were smoothbored without sights, not much use for anything else.

Some types landed on or over the mantelpiece because they were superseded by better options. That's

what happened to many of the transitional types.

If you wind back mentally to 1860 and consider your sidearm options, you could have had a good solid frame Lefauchaux pinfire cartridge revolver or a loose ammunition cap and ball revolver with a good, average or unknown maker's name on it: or no clue at all as to who made it. The problem with the pinfire was the ammunition. Once you'd used it up, where to get more?

Cap and ball was more flexible. 1,000 copper caps fit in a tobacco tin. You got a ball mould with the revolver and gunpowder was ubiquitous. History shows that the 'acceptance' of cartridge weapons followed the development of the railways; they made shipping goods to far flung communities much quicker and easier.

In long arms, the temporary front runners before America's civil war were capping breech loaders. These cartridges containing the ball and powder, but no primer. That was applied separately to the nipple as a copper cap or the famous Maynard tape primer, which was like 1950s toy gun caps. As with pinfire, the problem with any proprietary cartridge is it only fits the guns it was made for, making for another supply problem.

Handgunner Magazine's cover picture on issue 45 in November 1988 showed five American Civil War era carbines. They were all in service in that war and each take a different cartridge: Burnside (tapered brass), Sharps & the Sharps - Hawkin (paper), Smith (skin) and Gallagher (brass).

They all used a percussion cap on the nipple to set the charge off.

Inventors were competing for a transitional military market as well as a pioneering civilian one. The military transition, after the Duke of Wellington died in 1852, sought longer range and greater accuracy. The British army got both in the P53 rifle musket, but at the expense of reloading speed.

The years 1851 to 1864 saw a rapid development in small arms: muzzle loaded smoothbores in 1851 giving way to rifling, breech-loading, magazine repeaters, and machine guns by 1864. All of which were superseded by more modern designs in the 1870s and 80s. They were, in turn, superseded in the 1890s by the advent of smokeless nitro powders. People in 1920 would have regarded everything prior to about 1890 as obsolete; but to be fair, many 19th century 'obsolescent' types continued to be used by civilians well into the 20th century and some are undoubtedly still in use. We saw a percussion four-barrel 'duck's foot' pistol that was seized in Iraq *after* the second gulf war.

We also mentioned in passing that the unregistered pool continues to be topped up. That happens for various reasons; the Home Office adopted the 1972 McKay report policy that reducing the number of firearms in the hands of the public is a desirable end in itself and they measure their 'success' in implementing this policy by reference to the figures.

Shotguns have been individually recorded on certificates since 1989, which is when the powers that be first

found out how many we had and at the last round up of statistics in March 2020, there were 586,351 shotgun certificates on issue.

Said to be a decrease of nearly 5,000, one must be cautious with Home Office statistics. We discovered in the early 1990s that the number of certificates on issue didn't include those holding expired certificates and waiting for the renewed certificate to come through. People in that position simply drop off the numerical record altogether. Given that Dyfed Powys was a year behind in March 2020 and was one of numerous forces to announce a refusal to accept new applications to concentrate on renewals (by March 2021 they were 18 months behind), the figures are probably well out.

As a rule of thumb, certificates last five years so being a year behind means 20% have fallen off the radar. If that were true nationally, there would be 100,000 more shotgun certificate holders than the figures suggest.

Likewise, FACs on issue: 59,483 – a 0.2 decrease; to which the statistician adds the sinister comment "ending the year-on-year increase seen over the past three years" – yeah, right; chances are that decrease and then some are awaiting their renewals. If the chief constables were all bang up to date that figure would be nearer 70,000.

The other problem is with the policy; you can't have a policy of reducing certificate numbers while at the same time adding firearm types to certificates without causing an increase. The antiquated regulations this year, which reverse policies of the past

thirty years, are expected to generate up to a quarter of a million new variations on certificates, if owners (and the police) play ball.

Back to Michael Yardley's figures from 1988. His 25% 'wild card' was based on the experience of shotgun certificates being introduced twenty years earlier. Despite poor publicity, some 600,000 applications went in and that was estimated by the trade to be a quarter of owners.

Many owners didn't apply immediately, and much of the 'increase' in certificate numbers between 1968 and 1988 is attributed to late take-up of the requirement. In rural areas, farming families saw no need for one each; they only needed one for buying and selling, getting guns repaired and such so one certificate might cover ten farms in the family.

Similarly in other families. There was no need for both husband and wife to hold one until the police started making something of it in the late 1980s.

Meanwhile, the unregistered pool continued to grow. Prohibiting handguns in 1997 left many early types homeless as there were no clubs using them and then the 2003 mandatory gaol term for possession changed the landscape. On top of that, adding air cartridge revolvers to firearm certificates and then not issuing them to applicants made it clear that the Home Office wanted prohibition without the costs of a buy-in scheme, not registration.

The end play is that none of this makes much difference to the number

of firearms in the UK. Currently that's about one firearm per four members of the public, taking all types into account. What's on certificates is just the tip of the iceberg.

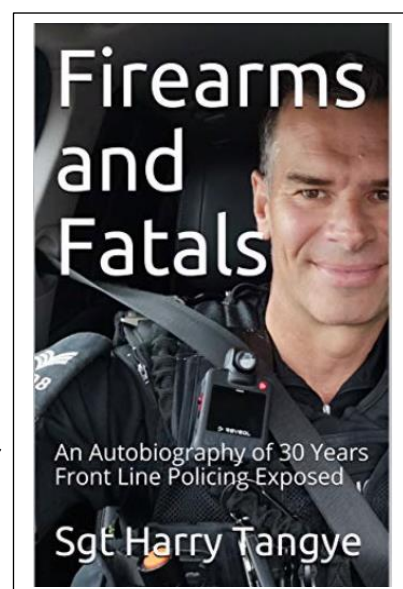
A tip to which policing and public officials devote a great deal of time to no effect. Ω

Firearms and Fatafs

By Sgt (retired) Harry Tangye

Kindle edition ISBN: 1701518643

"I have a Glock 9mm and a G36 semi-automatic and a baton gun all safely secured, but I also have a Taser and a pepper spray.



A little array of delights, each suited for a particular incident which may arise, constantly assessed and reassessed to ensure I choose the correct option in a split second of decision making. To which we might add that lawyers and relatives of the deceased will trawl over, pick apart and re-visit that decision at their leisure in calm, quiet court rooms in which you can hear the clock ticking – if they have one that ticks – but we don't need to because Harry says it all in his book: in his own way.

Harry Tangye served his thirty in the Devon and Cornwall police; best

known to the world for putting up with how John Marquez represents them in the TV series Doc Martin in which he played PC Joe Penhale.

The national approach to policing - the training set for Armed Response is, according to this book, universal; so whatever training they get in West Midlands, Manchester and the Metropolitan Police, Harry got to take into Devon & Cornwall too. The full eight-week course, mentioned recently in the media in the context of Police Scotland officers carrying Tasers. They've done the full course and all they got was a Taser, which Harry says works well when it does...if it does.

"The Taser depends on two prongs sinking into the target's flesh far enough apart for the electricity delivered down the wires to arc. The effect on the person hit is like cramp all over, which ends almost as soon as the power is off, leaving just the pinpricks of the barbs" and any collateral damage to the suspect when falling down, or when being kicked by the officer while on the ground, as in the August 2016 case when West Nercia Police Constable Benjamin Monk Tasered Dalian Atkinson in August 2016.

"In comparison, the pepper spray makes collateral damage of everyone around and leaves the main attraction with streaming eyes and a snotty nose for ages afterwards: so they can't be interviewed as quickly as Tasered man; but on the plus side they can be interviewed eventually, whereas shot man can't."

Harry didn't shoot anybody in his twenty-five years of armed service in Devon and Cornwall - because the training and experience he had meant he didn't have to. Suspects *believed* he'd shoot if they didn't surrender: machete man didn't put up any fight, about which Harry says, ***"two magazines are attached and the numerous golden bullets are clearly visible glistening like golden jewels. It'll be machete man against us and if we have to shoot him it'll be a 6-week inquest with several years of stress beforehand so let's see if we can avoid that shall we?"*** Nor did the kid with a BB gun on the street, but despite that, ***"I expect to fight with every prisoner I arrest instead of so rarely in the past because put quite simply, there is no extra sentence or punishment for struggling against an officer. It's expected and accepted by those who don't have to leave their office chairs to do the bloody job."*** And of the suspects themselves, ***"...they have just never been taught respect of others, by their parents or teachers because they aren't permitted to quite frankly and they just don't know how to behave in an adult civilized society."***

It wasn't always thus; policing in the 1990s was, ***"next to no paperwork, no risk assessments, little statistic collecting for the government which no one believes anyway, literally hours of extra time for real policing instead...policing was 80% crime with a large part of your time out hunting for bad guys, drug dealers and burglars... (As a probationer) I***

would crew up with regular officers and knew that this was the job for me. It was the realization that I was in a gang that had back up, that it was out to do good, to look after and support those that needed us, and to drag bullies into justice often kicking and screaming. They were no longer the ones doing the bullying, terrorizing their wives, beating them within an inch of their lives. I knew that no matter what, as long as I was determined, I could right any wrong but all that has changed. It's 80% to do with mental health now, not based on any scientific data but my experience, be it missing persons or suicide attempts."

Nobody is mourning the past passing, but every police memoir raises the same topics; the shift towards bureaucracy and paperwork and that experience is echoed by other mobile occupations. Decision making is being removed from practitioners on the street and given to office people who can't see what's going on and don't have the experience to make the decisions taken off the street and dumped in their laps.

What Harry highlights as missing is the old camaraderie. Police forces functioned on a tribal basis – living in section houses or blocks of married quarters near the police station and thus all capable of getting together for a drink after work, or a leaving party.

By the end of his tenure in the office of constable, that was all gone: long commutes to work with officers he might barely know outside of his specialist roles. It's a point also made

by veterans of military medical service: in the army they were a team, while in the NHS one might not know any of the other theatre staff when entering it to perform a procedure on a patient.

Nowadays, an arrest can take the arresting officer off the street for the rest of his shift, leaving just five cops for the whole of Exeter. As a fast responder – firearms incidents and serious road accidents – in such a large geographical area – getting to an emergency can take an hour.

He tried to speed it up one time by getting the helicopter to pick him up, but the palaver of shifting all his kit over, the fifty yards to the chopper and it choosing where to land got him there ten minutes after the police inspector – or so the latter claimed.

There's a lot of Harry the person in this book. Like his visits to the anxiety and depression clinic. Once you have a name for the symptoms ailing you, it's the first step towards managing it. ***"I just wanted to know if there was a switch I could turn to get rid of these things, just to save my wife's sanity if anything.... so then we have a chat, not about art but about my night terrors and after a discussion of my problem-solving at work, problem-solving at home with my small business and DIY etc, I found I was getting no break time. My brain, as small as it was, was not getting any rest. I should take the dog out more, I should get away from things a bit, I should learn to relax, oh and it's called Parasomnia. I was quietly pleased, it was a cool name. No one***

wanted a stupid named affliction such as lazy-omna, or weak-omnia. I was cool with it..."

Like deciding to have a briefing at the Fire Station: **"Although it's next to the Police station, the Fire Station clearly has better biscuits."** On observing a suspect, **"Knowing he was up to no good, mainly because he was living and breathing"**. On cutbacks, ... **"they thought it might be a very good idea to put response officers, traffic, Armed Response and dogs together in one happy Section.....(that) taught me how important it was to have a reasonably high rank in charge of every specialist department who had previous experience working within it."** Without a specific incident being mentioned.

Anthony Long Comments in his book (Journal 60) about firearms incidents that ended fatally for someone after a senior officer decided to end the situation by sending the armed officers in. But had they done the eight weeks' training and some front-line time.? What we're wondering is why the Anthony Grainger shooting on 3rd March 2012 in Culcheth, Cheshire by Greater Manchester Police and the Jermaine Baker shooting in Wood Green, London on 11th December 2015 were so similar. Three years, nine months and eight days apart in time and some 193 miles apart by geography, armed officers are sent to parked, steamed up cars, uncertain as to who is in them and what they might be about, and in both cases end up shooting someone dead in a confused surprise sprung on the

occupants at the behest of the officer in charge.

Harry got promoted to sergeant as a kind of team leader and refused further 'chances' of promotion on the basis that the job he had gave him a fast car and four prohibited weapons, which no desk job would. A position also adopted by the late John Hurst (obituary elsewhere in this issue): he was a Metropolitan Police Constable for thirty years because, in his words, **"sergeants are social workers to their PCs and inspectors are politicians..."**

While the 'firearms' side of Harry's police service was a case of maximum training and constant preparedness for what might happen – **"I will do as I always have done. I only have to satisfy myself, knowing I had no alternative and that my actions were proportionate, reasonable and necessary. But these judgements are not a precise science and if you play by the sword as a criminal, you may just die by the sword one day"**

'Fatals' were an all-too-common occurrence: and he might have invented the word, as we had to add it to our computer dictionary. As a fast responder he'd be dispatched to reports of accidents and often the first one there to deal with whatever had happened to cause the report; **"most fatalities occur in the front passenger seat. We call it the sacrificial seat."**

One incident he describes in some detail was a car containing an elderly couple returning from a function. The driver tried crossing a ford – where the

road goes through a river and probably his usual way home – but the river had risen since the last time he did it and the car stopped.

The driver probably got out to see what was to be done and then the river carried the car away from him downstream with his wife still in it. They both drowned; she is the car and him trying to reach it.

Harry is an experienced writer – a blogger for his police department and one who also posted videos. He quotes some of that material and undoubtedly you can find it all online. One video was made while he was waiting for recovery at the scene of a car crash caused by aquaplaning. It was the sixth such accident he'd been to that night, and he was probably a bit jaded by then. And as you'd expect, he had a following of people looking at his material to find fault with it, him or the police service. At least he was confident that his seniors had his back in such matters. The team, the mukkas; unlike Parm Sandhu (review in the next Journal) who spends much of her autobiography reporting the failures of the Metropolitan Police culture to be inclusive of all its sworn officers. Parm Sandhu would likely endorse Harry's comment, ***"The organization's discourse becomes the norm"***

Policing has come a long way from the day when Sir Robert Mark said (on camera in a BBC documentary) that ***"a good police force is one that catches more criminals than it employs"***. Harry looks to the future in several comments, viz ***"It won't be long before every officer watches criminals***

disappear into the distance having a free reign of crime. It's started to happen, and unless people wake up very soon and ignore these idiots who shout for justice with their biased agendas, often criminals themselves, then we shall reap what we sow."

"Annual custody death statistics are piped out by campaigners with agendas with the huge assumption the deaths were due to the police. If you were to stand in a custody suit and see the violent, suicidal and mentally ill flowing through during the night, you would be staggered that the deaths were so few across the whole country...It should be suggesting to these families that perhaps if their guidance had been better as parents, then their budding musician or footballer son may not have swallowed the drugs when being stop searched and choked himself."

A theme we've echoed elsewhere. When you cross a red line, such as Ezell Rodney and Mark Duggan collecting what they thought were viable firearms to use for an unlawful purpose, it's going to go wrong for you if you don't know how to behave when the police encounter you.

"There had grown mistrust with the media by police on post shootings when vicious, dangerous criminals had been shot dead by police having just thrown a gun from the car without it having been seen thrown. For some unfathomably strange reason a section of society felt the armed police should risk

their lives by giving these people the benefit of the doubt when they believed in that split second they were going to be shot by these animals. It was being heavily pushed for all officers involved in shootings to be segregated post shooting, great in theory, ridiculous and callous in practice."

Harry makes the point repeatedly when dealing with drunks in particular: they can talk themselves into way more trouble by dissing the uniform and not doing the simple thing they've been told to do – like shut up and go home.

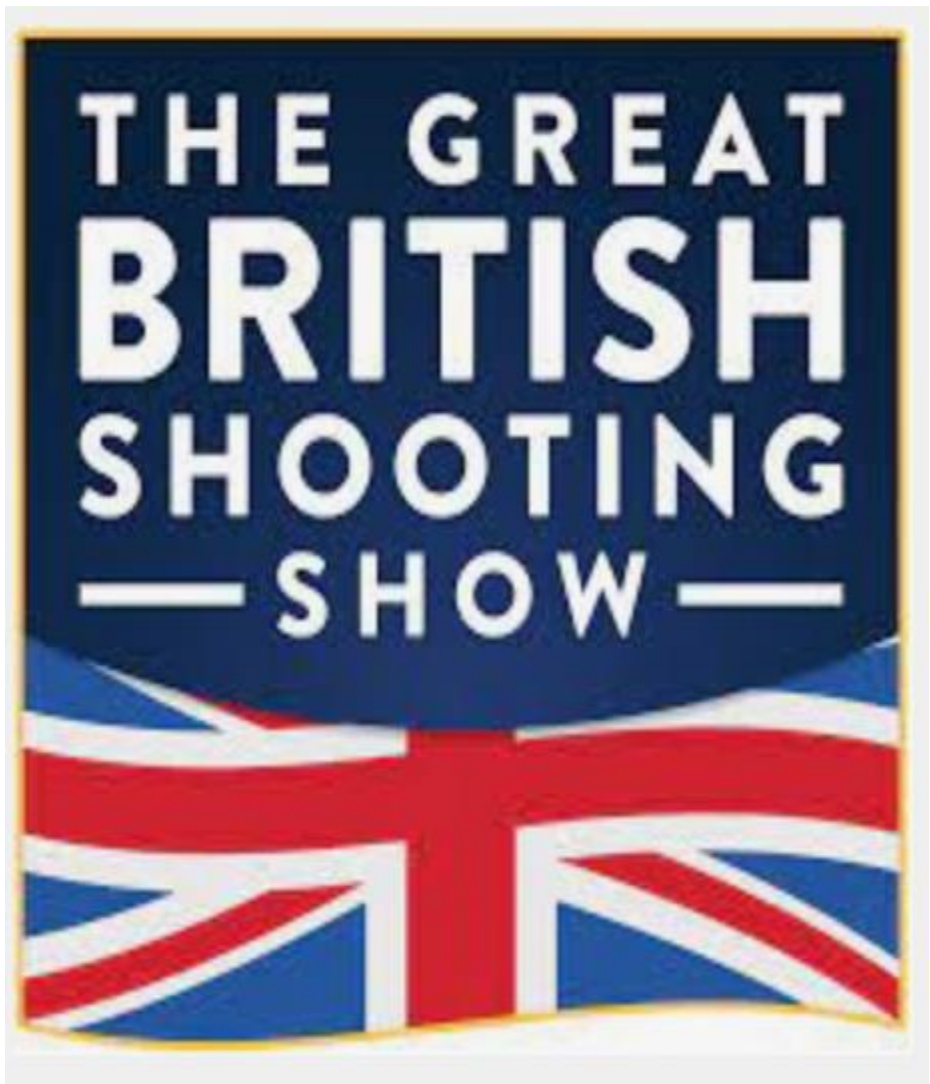
Harry also touches on another topic we raise from time to time, that of self-defence for women. His daughters have martial arts training; which of itself doesn't help much without spatial awareness and a positive attitude. Our safety in public is a matter of training and planning, which you've all done as motorists but many people simply don't have appropriate training for being pedestrians or do risk assessments of their locality.

He covers this point eloquently; ***"...am so supportive for children and teenagers to get into some sort of contact sport such as martial arts, rugby or boxing because if a person who hasn't experienced a contact sport is slapped in the face they often go into freeze mode, completely shocked and traumatised. If they are used to the occasional slap, then they often go into fight or flight mode. I attended a stalking in Exeter where a 15-year-old girl realised she was being followed at night whilst she***

made her way home. The man ran up to her from behind and grabbed her. She screamed and kicked out before running. 10 years of karate had taught her to do that. She didn't need to use the karate skills to stick him on his backside, she simply needed to use the confidence to react to a dangerous situation the way she did. It probably saved her from being raped and that makes 10 years of attending that club worth every minute."

The quiet citizen must change to meet the threats of modern urban living. It's no use protesting that the police don't do enough to make the streets safe – that's not their job. Our chairman Jan A Stevenson said that the police would prefer you to die so that they have something to investigate. Preventing crime is bad for the statistics, arrest records and every measure that the Government use to determine policing effectiveness.

And to round this off; ***"25 years later, I am still shooting. I love having the skill and I get the same feeling I imagine as someone playing golf for the weekend. We do things that stag-dos would pay hundreds to do, but then they don't quite have the pressure behind it except personal pride. Be it the covert holster on VIP protection or the ARV holster for Armed Response, I love the art of drawing fast and slickly, firing one or two for the desired discipline, checking breach to ensure no stoppage has occurred and then down into the holster again without looking. Fast, slick, professional and***



**LATEST PLAN – 18TH TO 20TH
FEBRUARY 2022 AT THE NEC
BIRMINGHAM**