

# SHOOTERS' JOURNAL

ISSUE 71

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AUTUMN 2021



**MILITARY ODYSSEY 2021**

**PLYMOUTH SHOOTINGS:  
WILL YET ANOTHER POLICE MISTAKE SPARK  
YET ANOTHER KNEE JERK REACTION ?**

## SHOOTERS' RIGHTS ASSOCIATION

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### ABOUT US

Formed as a legal interest's group in 1984 to address the postcode lottery of police maladministering the Firearms Act that came into Handgunner Magazine's office via the postbag and telephone, the association became a gun lobby after the Hungerford murders in 1987. That was the only multiple death disaster not to be reviewed by a public enquiry in that decade.

The government didn't dare risk an enquiry exposing the flaws in Home Office policy. They scapegoated the law-abiding shooting subculture instead. That has happened many times since and is likely to again unless we all remind the powers that be of the

## COVER PICTURE

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SRA PHOTO

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**MEET THE PROFESSIONALS:** *some people went to Military Odyssey in Kent last summer dressed as themselves. An alert Chelsea Pensioner noticed us taking the candid camera snaps of uniformed people whereupon they promptly formed up on SRA Treasurer Elizabeth Law for this cover; thus relegating the 101st Airborne (WW2 Screaming Eagles) to the back cover.*

obvious. That rearranging the same old failed scapegoating policies fails to address the actual problem.

The Corporate Manslaughter and Corporate Homicide Act has been on the statute books for over a decade, and it is high time that those responsible for failing to administer firearms legislation lawfully should face the consequences.

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### **EDITORIAL**

The spree killing of the five people, including a three-year-old child that Jake Davison shot after killing his own mother in Plymouth, Devon on Friday 13<sup>th</sup> August shocked us all, as these rare tragedies do. The chief constable described it as a domestic that spilled out onto the street, while the BBC latched onto Davison being a shotgun certificate holder and promptly linked his rampage back to spree killings by other certificate holders. The BBC said that his certificate had been reinvestigated after an assault investigation last December and only recently returned to him and that the I.P.C.C. are investigating that.

Getting the decision about issuing a certificate wrong is a stressful business in police departments, made more difficult by the 'need' to offset

what's lawful with what complies with Home Office policy and the police agenda. The policy is to reduce the number of certificate holders to an absolute minimum, and the only way of doing that is to deny certificates to people lawfully entitled to them. By treating every applicant as a potential reject, they can't see the wood for the trees.

The agenda of doing that by any means is leading licensing staff into error and in some cases criminality to achieve the impossible. Our view is that aside from the stress this generates, there is the potential risk of reprisals where policy and agenda have been relied upon rather than the law.

The Corporate Manslaughter and Corporate Homicide Act 2007 specifically includes police forces as being capable of such crimes. It is utterly pointless trawling the remaining certificate holders, yet again, in search of 'something to do', when these spree killing events were all perpetrated by people to whom the police, and not the shooting community, gave certificates. Prior to the Home Office taking over approval of clubs in 1970, we didn't have spree killings and certificates were only issued to people of whom their club committees approved.

Wannabe shooters outside of the club network - farmers, pest controllers, game shooters, deer stalkers et al were vouched for by their mentors, syndicate, or trainers - the people who would routinely encounter that person when he had loaded guns

thereafter. Then the Home Office decided that the police should take over determining who was a suitable person.

That's the conflict between law, policy and agenda and the blame for the Plymouth shootings should fall on the corporation who decided that the murderer could have his certificate back. If they'd simply acted lawfully in the first place, nobody would blame them. ☐

### **PLYMOUTH SHOOTINGS**

Almost as soon as the chief constable had told the media, on Friday 13th August, that the Plymouth shootings were a domestic that spilled onto the street, they turned on the rest of the shooting community – the same old demonization tactics as used after previous cases - citing the 587,000 odd certificates on issue. That's less than when shotgun certificates were first introduced in 1968 - when the UK population was much smaller and that is a damning indictment of Home Office policy towards the shooting sports. There should be well over a million certificate holders by now.

**This scapegoating is even though in each traumatic murder case the decision to give those killers certificates was a police one.** Home Office policy is not to take account of the shooting community's views on applicants: these are not sought – the people most likely to encounter that person when he has loaded guns are – in the Home Office view, not worthy of assessing that person's suitability. Registered firearms dealers are not allowed to be referees for applicants.

The Home Office think that dealers will give positive references to dangerous people just to get a sale. As if.

The result of this Home Office policy is the occasional spree killer. Working backwards, Whitehaven killer Derrick Bird in 2010 had both a firearm and a shotgun certificate on the strength of having a place to shoot. He was not known to the shooting community nor the gun trade in Cumbria and had no peer approval. Only the police knew he had guns because they'd issued the certificates. He fitted the spree killer profile in that he was a victim of bullying. It's one of the few things identified as a factor in spree killings and this latest one was honking loudly on social media about his inadequacies and that the world was against him. And all that rhetoric, seemingly, wasn't picked up by anyone who knew he had a certificate, such as the police.

Cumbria Constabulary keep an eye on their certificate holders thus – see the Matty Weir court report in this issue – while Devon & Cornwall are the force that seized Nick Dagnall's firearms and shotguns via the unlawful seizure policy, sat on them for over a year and then revoked the certificates after the decision maker read the wrong file. Before that there was the Kevin Jenkins case. A traumatic home invasion to unlawfully seize his shotguns in 2011 based on not understanding a medical diagnosis; followed by seven years without the peaceful enjoyment of his private possessions before a court ordered their return.

Dunblane murderer Thomas Hamilton in 1996 also felt, not so much the world, but the authorities were against him and his boys' clubs. He felt bullied by authority: he was pushing to get into a rifle club after his one closed because of his impending renewal and the requirement of club membership for that renewal. The club didn't want him because of his baggage – he failed the primary social test for club membership that kept Britain free of spree killers throughout history, until the Home Office changed the rules so as not to consider what other shooters thought of applicants. In the old days, when club approval mattered, he would not have been able to get his certificate renewed.

Hungerford murderer Michael Ryan (1987) got his firearm certificate on the strength of joining a .22" club. Once he was approved by his .22" club and had the certificate for a .22" pistol he had a credential that got him into a commercial club without any suitability check and thus to his certificate being extended, without any further enquiries, to enable him to acquire the full-bore firearms he used for his murders. The decision was wholly a police one.

Commercial ranges had to become approved clubs when the Home Office took over; that made membership a 'good reason' for applying for a firearm certificate. The police did not consult the club about Michael Ryan's application.

The BBC's immediate focus after the Plymouth shootings was on the number of shotgun certificates on

issue and the 'fact' that Derrick Bird also used a shotgun in 2010 and that resulted in no change in the law. Which isn't true: the Home Affairs Select Committee ignored the fact that it was exclusively a police decision to issue Bird with certificates and concentrated instead of looking for something to do to the rest of the shooting community as punishment for that police decision. The result was two changes in the law; one extended prohibited person status to encompass possession of antiques and the other extended prohibition to kick-in when suspended sentences of three months or more got handed down. Neither would have 'prevented' Derrick Bird getting certificates when he did, but the lack of peer approval might, had it been considered relevant by the appropriate authorities.

In the old days, he would have to have passed social muster in a proper club to be able to apply for a firearm certificate: or be introduced by a certificate holder vouching for him being appropriately trained, safe and on the right side of the lines.

Shotgun certificates were introduced in 1968 as a knee-jerk reaction to a 1966 case in which three Metropolitan Police officers were shot dead by a handgun-armed gang – and to replace the 1870 Gun Licence (ten shillings from the Post Office – a tax, same as dog and game licences) that had been repealed in February 1966.

The certificate was intended purely as a register of gun owners, but the 600,000 applications resulting from its introduction spooked (Sir) John McKay - the chief inspector of constabularies -

into forming a committee to 'do something' about the extent of gun ownership in Britain. Gun ownership by taxpayers wasn't a public order problem; hence his having no idea as to the extent of said ownership. The 600,000 applicants were just those who saw the poor publicity at the time – small notices in Post Offices – and amounted to barely a quarter of shotgun users.

The gradual and subsequent 'increase' in certificate numbers was, in part, late take up of the requirement, as owners took their guns in for repairs or servicing and needed a certificate to get them back. It still wasn't the whole picture, as in rural communities one certificate per household or family was sufficient.

An example of this featured in the Jeremy Bamber case in 1986. He said he used a family rifle to go shooting the day before the murders and put it back after. Everyone in the household, it seems, had access to the guns and that was certainly the case in rural families when the SRA secretary moved to Wales in 1986.

It would take the 1988 Act and photos on certificates to interest rural households in applying for more than one certificate at the same address and even then, the 1988 Act specifically authorised the holder to lend the certificate to someone else with a note authorising the purchase of ammunition.

The resultant McKay Report in 1972 turned into a Green Paper (Cmnd 5297) in 1973 and was rejected by Parliament. Many of McKay's

proposals were nevertheless adopted by police forces and the Home Office simply waited for a 'suitable legislative opportunity', as Douglas Hurd (Conservative, Witney, and Home Secretary at the time) put it when addressing a school 6th form in September 1987. That morphed into the Firearms (Amendment) Act 1988.

The Plymouth shootings have more parallels with Mike Atherton's murderous assault on his family on New Year's Day 2012. A taxi driver, like Derrick Bird, he shot members of his family and then himself. His guns had been seized the year before and returned, and that reveals another Home Office policy which doesn't work.

The 'seizure policy' was developed as an administrative tool to separate certificate holders from the peaceful enjoyment of their private property without judicial oversight. In origin, it was to enable the informal capture of guns during that period when a certificate holder either had no security or no access to his security, such as during divorce proceedings.

It was not intended to cast doubt on the owner's suitability to hold them: the doubts were about how to keep them secure until he'd sorted out his security arrangements. From there it blossomed into waiting for the divorce to be absolute and then it spread to checking what was said in the divorce petitions for anything useful to justify revocation within Home Office policy rather than the common law. Then it turned into an arbitrary extra-judicial

interference in the private lives of certificate holders.

It's of doubtful legality and is being widely exercised without any redress to affected parties, and that is another violation of the Human Rights Act. The basic issue is this: the Firearms Acts set a benchmark for those deemed suitable to possess firearms or shotguns. The tests for these are different but the bottom line is 'danger to public safety or the peace' – which is also the baseline for revoking a firearms dealer's registration and has been since 1920.

The phrase was adopted as the benchmark for shotgun certificate holders (when these certificates were introduced by the Criminal Justice Act 1967) from section 8 of the Firearms Act 1937 in relation to registered firearms dealers. It had not been judicially scrutinised in the higher courts. No firearms dealer's registration was revoked with an appeal reaching the Court of Appeal between 1920 when the phrase entered firearms legislation and shotgun certificates being enacted in 1968. Parliament's expectation was that revocation of a certificate would be an exceptional event, such as when a certificate holder was imprisoned for more than three months and would be prohibited on release.

Prior to 1968, only three 'firearms' cases had reached the Court of Appeal in the 20th Century: two related to air guns and one to dummy revolvers. None involved the police restraining the lawful trade of a gunsmith, so the phrase seems to have been a virgin

until tested by the massive crime wave that engulfed certificate holders and the gun trade in the wake of the policy changes wrought when Home Office took over the management of the shooting sports in 1969.

Court of Appeal decisions become Common Law, so it is to them we turn for clarification of what 'danger to public safety or the peace' means and at once the waters are muddied by courts hearing certificate appeals and pronouncing on them on a tribunals basis without articulating whether this 'danger' line has been crossed by the Appellant or not. *Kavanagh v chief constable of Devon & Cornwall* in 1974 is one such. The main point of the case was to 'authorise' the recently invented crown courts to continue hearing firearms appeals on a tribunal basis – accepting rumour, hearsay, and gossip as evidence – the way the (abolished in 1971) Quarter Sessions had.

A stranger than fiction case – *Regina v Chelmsford Crown Court Ex parte Farrer* (2000) arose because Mr. Farrer could not be available at home for an extra-statutory inspection of his guns by Essex Police, so he left the keys to the cabinet with his aged mother to facilitate their inspection in his absence. It went downhill from there; the police used the keys to seize the guns and the eventual High Court hearing took the view that he shouldn't have done that.

Our view at the time was that he was entitled to delegate access to the guns to his mum via section 11(1) of the Firearms Act 1968 – the gun bearer

clause, but it seems nobody else thought of that. The police interest was in reducing certificate numbers by any means and Mr. Farrer didn't stretch to seeking specialist advice. The case does not say that the danger to public safety or the peace line was crossed.

Another policy to be found in the Plymouth mix, and which is causing considerable problems is the Home Office fetish for all certificate applicants to get medical approval. The Firearms Act prohibits chief officers of police from issuing firearm certificates to those of 'unsound mind'. This phrase has been in the legislation since 1920. It was taken from contemporary mental health legislation (since dropped in mental health legislative updates) and means people who can't look after themselves – and such people can't be registered to vote.

That didn't help the police checking applications in 1920 because women couldn't be registered to vote and nor could Peers of the Realm. No case has ever reached the Court of Appeal to qualify the medical baseline. It's a case of not being able to prove a negative.

And then along came Mike Atherton. Following his case, the chief constable who'd issued his certificate told the coroner that there was no training regime for the people processing certificate applications. So instead of developing one, the result of this case was a national trawl through issued certificates to see if any of these untrained clerks had issued one to someone who should not have it – using the benchmark of Home Office

policy and the police agenda rather than the law.

In the last few years, the medical question has stretched to include various specified medical diagnoses and then via unashamed mission creep to include applicants for shotgun certificates and firearms dealers' registrations without the Firearms Act offering any link by which this is legally possible.

The Home Office blithely says that someone with one or more of their hitlist of conditions – none of which would get you drummed out of the police service, by the by, - 'may be danger to public safety or the peace' without any court having made that link either. This came out of the Christopher Foster case. He murdered his family, their horses and burned the house down before killing himself.

He had mental health issues driven by financial stresses; these were known to the medical profession, but not to the police, as there was no mechanism for breaching doctor-patient confidentiality.

Now quite the opposite is the case, and we have instances of GPs denouncing certificate holders who consult them to the police for matters that are not on the Home Office list.

As the agenda is to target everyone involved in the shooting sports to reduce certificate numbers *by any means*, as Andy Marsh put it to Prime Minister David Cameron, and as the opinions of any person's peers (who know him) don't count, the inevitable result is large numbers of perfectly sound people losing their certificates



and the odd maniac slipping through the net *because we in the shooting community don't get to assess them.*

This is the mission creep of 'preventative justice' in which preventing thousands of people enjoying shooting as a hobby in the hope of preventing another spree killing is perceived as a good idea. It's a European concept and we've left Europe for numerous political reasons; this is one of them.

What needs thoroughly reviewing is the Home Office policy. It needs to be brought back to compatibility with human rights, the statutes, with the common law and with natural justice. And it would be more effective if managed by a government department that knew something about sport, social activities, country pursuits and trade. ✕

### **HOW THINGS CAN GO SO WRONG SO QUICKLY**

#### **Matthew Weir at Carlisle Crown Court on 19<sup>th</sup> and 20<sup>th</sup> August.**

A certificate holder for just over a year before this incident, Matty was telephoned by a farmer who'd captured a dog he had caught worrying his sheep. The farmer telephoned the police station first and they said to shoot it. Not having a gun, he called Matty who arrived within half an hour and killed the dog with a 50-gramme load of large shot at a range of a few feet as the dog lunged at him.

His arrest, and that of the farmer, came as a surprise and a shock a few weeks later. Both men were evasive when questioned because it seemed to them that the police officer was

probing to establish whether or not they had preserved any evidence from the dog attack. It was a 'the dog was innocent' type of interrogation. They believed the interviewing officer to be a personal friend of the dog owner.

Both men were summonsed; bizarrely, for an offence contrary to the Animal Welfare Act 2006 of 'causing unnecessary suffering'. A vet examined the cadaver, but didn't run to taking an X-Ray of it and in her assessment the 'unnecessary suffering' was caused by the shot damaging the dog's tongue on its way to its brain.

To issue the summons, the Crown Prosecution Service had to ignore two obvious points; (a) a shotgun is a humane method of despatch, inapplicable in an animal welfare context and (b) the Animal Welfare Act 2006 is a local authority tool for prosecuting negligent pet and livestock owners. So all the trauma inflicted on both men was inappropriate, at best.

Next came the inevitable appeal against the shotgun certificate being revoked. Matty was unable to substantiate his assertions about the relationship between the police officer and the dog owner and a late change of the date of the hearing denied him witnesses who would say that the dog Matty killed had attacked sheep on another farm a few months earlier: after which incident the dog owner's partner is said to have compensated the farmer and the owner promised to have the dog put down. Actions taken in the extremes of the moment are judged in a quiet court, where

***“As you know your appeal was dismissed and you were ordered to pay costs of £10,152.10.***

***In summary the reasons given for dismissing the appeal were:***

***You had received a ‘final warning letter’ when you were granted the certificate in 2018.***

***The fact that it was unlawful to shoot the dog as they decided there was no risk of the dog getting free – Mr. Mxxx had left it unattended for 15 minutes. They did say that the advice given by police on the phone was lamentable.***

***The shooting of the dog was reckless – you should have paused before shooting a tethered dog. You did not look at the collar, you shot it straight away.***

***These actions go to the question of public safety, although they are ‘mitigated’ by the bad advice from police.***

***Following this flawed decision to shoot the dog you lied about what had happened. These lies were to obstruct the police enquiry into the use of the shotgun. The lies were not fleeting and were constructed with care, together with Mr. Mxxxx.***

***A certificate holder is on trust. The Appellant has manifestly shown that he is a potential danger both in the shooting of the dog and his subsequent lying.***

***The Chief Constable had been right to remove the certificate.***

***For all these reasons the Appeal is dismissed.”***

What’s missing from the decision is a connection to ‘danger to public safety

or the peace’ in law. The court blames Matty Weir for acting on what he perceived were police instructions, as relayed to him by the farmer, which did not include getting close enough to the dog’s teeth to look at his collar.

Shepherd v Chief Constable of Devon & Cornwall (2002) identifies lying to the police as possibly evidence or a person ‘unfitted to be entrusted with firearms’, but gave Mr. Shepherd his shotgun certificate back after he did so because he had not crossed the danger to public safety or the peace line by doing so. That line is set in common law by the various decided cases on the subject, which now include the Shepherd case. It makes Matty Weir look like another victim of police policy instead of objectively applying the law to the predicament a policeman getting it wrong put him in. A police officer, being a trained man, is entitled to make a mistake, which rebounds on the corporation he works for and not on the people he gave mistaken directions to. Until now. 🚫

## **MATTERS ARISING FROM ISSUE 70**

In the old days the association’s officers used to have meetings; and at such meetings we could thrash out news items and our respective approaches to them. Our chairman Jan A Stevenson had been a police officer, a Pinkerton detective and a PhD student at Oxford University before becoming a founder member of three of Britain’s national shooting organisations: The United Kingdom Practical Shooting Association (1977), the National Pistol Association (1978)

and the Shooters' Rights Association (1984), besides founding and editing Handgunner Magazine (1980), forming Delta Training with Peter Eliot (1983) and appearing in various cases as a firearms expert witness. (1979 and on)

His training, tutoring and mentoring and then his take on events was thus the template for much of what we did, but lockdown, isolation and the passage of time leave us all working separately. Our first responder to Journal 70 was Scottish Rep Frank Berry, whose initial comment was that the article on page 37 (inside the back cover) finished in mid-air: and he was right.

The PDF submitted to the printer was complete, so here we produce that final paragraph with the bit the printer managed to lose in bold italics:

*"It's a bizarre public service that libels law-abiding firearm certificate holders for a cheap-shot and entirely false sound bite, while spending most of its time looking for ways of not issuing the firearm certificates Parliament decided they should since 1920 and which the courts confirmed (Joy v Chief Constable of Dumfries and Galloway 1966) they **should approach from the point of view of the applicant and not from that of a possible objector.**"*

It's a significant judgment for several reasons aside from the above quote, but in this instance it sets a clear track for police departments to follow. The problem is that they're doing the opposite via the 'by any means' policy.

Lord Bingham said in his book 'The Rule of Law' (2011) that court of

record decisions *become common law*. As to whether Scottish decisions count thus, we can't ask the author, as he died in 2010.

The current doctrine of competing harms in firearms departments leaves staff there trying to weigh their decisions with reference to Home Office policy and the police agenda while statute and common law take a back seat. And the courts seem content to support policy decisions and likewise let the rule of law go the way of all flesh; such as in Matty Weir's case, reported elsewhere in this Journal. .

Frank's next bone of contention related to the George Floyd "I can't Breathe" report. He said, ***"I was surprised that you attribute George Floyd's death to Officer Chauvin. If Chauvin's neck restraint had actually closed Floyd's airway he would have been silent. His "I can't breathe," statement was due to the fact that his heart was on its way to exploding thanks to the industrial quantity of drugs he ingested shortly before his arrest. To be honest, once the strength and amount of narcotics were identified by the coroner, I thought Chauvin's defence lawyer should have offered a hypo with the same load to the District Attorney with the offer that if the DA took the shot and was still on his feet in an hour, his client would plead guilty. He should have had hypos available for the jury as well."***

Blaming Chauvin for Floyd's death is what the jury did by convicting him, despite, as Frank reminds us, that:

***“Officer Chauvin’s ‘hold’ was one taught to him by his instructors. I don’t know if they said ‘when in doubt, knee to the neck,’ or if they included caveats for the seriously drug-addled.”***

Our comments followed on from information we extracted and published from Dr Richard Shepherd's book ('Unnatural Causes', review in J68) about the people the Home Office approved restraint techniques killed and (reviewed in this issue) Parm Sandhu relates in her book 'Black and Blue' advice they were given about the breathing difficulties of (particularly) overweight suspects in restrained custody when left face down. The advice was to get them on their feet as quickly as possible.

What we can't say without going through the trial transcripts is what the jury were told: whether the restraint technique was applied as per *current* practice in that police department or whether it had been superseded.

It wasn't the pressure on his neck that restrained George Floyd's breathing: that was caused by his lying face down. You can conduct this simple test for yourselves: lie on your back on a hard surface and breathe deeply. Your chest expands upwards as you breathe in, while your back doesn't move.

Next, turn over to lie face down *with your hands behind your hips* – where they would be if you were handcuffed behind and practice the deep breathing again. In that position, and to expand, your lungs are lifting the

weight of your back, shoulders and arms as well as anything on top of you, including clothing – outer garments in particular (which may be trapped beneath you) - and a policeman if you have one handy.

Breathing in becomes harder and breathing out becomes faster. Being unable to breathe in quickly and deeply rapidly diminishes the oxygen supply to the brain when the heart is pumping faster during or after exercise.

Obesity, drug intake, the face down position and some of the weight of a policemen all made breathing in the prone position more difficult. If Derek Chauvin's lawyers run to an appeal, we'll follow it.

As to why this matters to us in the UK; the answer is that left unchallenged, policing tends to over-reach the bounds of both common and statute law in pursuit of their narrowly defined 'goals', such as reducing the number of certificate holders 'by any means'. We have reports of armed officers turning up at certificate holders' homes to interrupt their peaceful enjoyment of their private possessions by seizing their firearms or shotguns on the strength of a 'seizure policy' which violates the European Convention on Human Rights and the Human Rights Act. There is a constant risk to the public that armed officers may use their weapons against us, briefed as they are to regard firearm and shotgun certificate holders as armed suspects.



## **MATTERS ARISING (CONTD)**

Frank next addresses our review of Harry Tangye's book 'Firearms and Fatals (J70, pages 31-37), *"the life story of the Devon & Cornwall gunfighter was interesting in that once again the 'split-second decision' trope appeared. Just once, I'd like to hear one of these Judge Dredd wannabes tell us how many split seconds it took for them to decide they wanted to carry in the course of their duties, or even how long it took to want to be a New Centurion in the first place."*

The author addressed both points in his book, which is a good read. He was keen to take on that role and eschewed promotion to stay on the streets. The training he took and the practice he continued to maintain represent where the evolution of armed policing has reached in the UK. Both he and Tony Long (book reviewed in Journal 60) were keen to specialise in that work. They both came to it at a time when applicants with no interest in guns were preferred by those in charge.

As everyone who had handguns before the ban knows, maintaining skill at arms was a continuous process and that was expensive in both time and ammunition. While engaged in lobbying in the Palace of Westminster in 1997 we were approached by an officer of the Royalty Protection Squad. His wampum was that half of them had privately acquired sidearms to practice with on their own time and at their own cost to maintain the periodic test standard.

Massad F Ayoob said that officers who do that are less likely to screw up when it matters. Gun handling other than when shooting was also an issue: two officers had managed to shoot themselves in the late princess Diana's presence.

Gun handling was a module on numerous courses hosted by the SRA, such as for people who would need to know how to clear and make unfamiliar weapons safe. It was a detailed and extensive module on Massad Ayoob's shooting courses, but not, it seems in 1990s policing in which negligent discharges were a dangerous problem that still gets mentioned in the press from time to time.

The national training programme Harry Tangye wrote about specialised firearms officers into what amount to SWAT teams in all but name. These specialists still fire off more ammunition by accident each year than is fired at or near suspects but that comes back to how well (or not) they are trained in the first place. 🤖

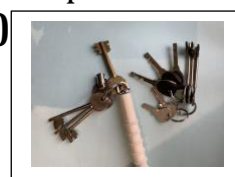
### **MATTERS ARISING (3)**

#### **The Late John Hurst**

Frank Berry wrote:

*"On page 20*

*during the obit for John Hurst, you mention that the police are exempt from the need for certificates in the course of their duties, but while Section 54 of the Act lets them possess items like surrendered firearms, or when taking them to a lab for testing, the Home Office still cites common law as their authority to use firearms against the rest of us. It might be of use to query the Home*



***Office guide on the Police Use of Firearms, specifically about their quoting common law as a justification for arming their Orcs. Perhaps an MP might ask when the common law stopped applying to those who work for a living as opposed to career criminals and those paid by the law-abiding to counter them."***

Yup. Lord Bingham, mentioned above, said that court of record decisions become common law. *Greenly v Lawrence* (1949) was a 'good reason' case in which Sir John Greenly had been refused renewal of his firearm certificate for fifty rounds of ammunition for his pistol for defending his home. The Quarter Sessions had allowed his appeal, which was within their discretion, and the Court of Appeal saw no reason in law to reconsider that decision.

What's interesting about the case is that Sir John's application was for ammunition for the pistol. The way the judgment is worded makes it seem that he was already in possession of the pistol and had no need of a firearm certificate for it; just for acquiring the ammunition. We will reproduce the judgment on page 32 of this issue so gentle readers can see the exact wording for themselves.

Edward Beck's research led him to the view that when the 1920 Act came into force it was only guns used for sporting purposes that required a certificate. Trophies of War, such as those captured weapons given to war bond buyers, were exempted; and the Home Secretary told Commander

Kenworthy as much in the House of Commons debate when the 1920 bill was discussed at second reading.

There were several 'good reason' appeals in the 1920s. Chief Constables didn't regard 'target shooting' as a good reason *for having a firearm certificate* because members of ministry approved clubs were exempted from the need to have one. The issue in *Greenly v Lawrence* was that of buying ammunition by someone who was not a club member. This mattered not to defence of the realm club shooters: to this day, officials of Home Office approved clubs buy that from the National Rifle Association at Bisley on the strength of their NRA affiliation and without producing a certificate.

People with guns and no access to Bisley went for firearm certificates for the ammunition until the chief constable of Reading tried putting a stop to that by refusing Sir John Greenly's appeal.

Frank's point is the same as John Hurst's; that policemen have firearms for the common law purpose of defence. The Firearms Act exempts them from the need to hold a certificate *in the ordinary course of their duties* and that leaves a gap in their exemption from the need to hold a certificate when they use the seizure policy to take a certificate holder's guns.

John Hurst said that thugs who were caught with guns and claimed they were for defence were not prosecuted in his experience, while firearm certificate holders who sought

authority to carry firearms for defence, or were detected doing so, got revoked. The Home Office has always been clear that these violations of common law rights and the Human Rights Act are only a matter of policy.

### **More added to John Hurst's obituary**

#### **From Sam Phipps**

*"Following John's sudden death in May it has been difficult trying to piece together his life since he left his home and children in London to set up with Tina, his common law wife. They were together for approximately 10 years.*

*Tina died of a heart attack in John's car while he was driving her to London in April 2018. They had a home in Bulth Wells at the time; their second address in that area.*

*There were many loose ends to tie up after John's passing. His remaining belongings were at my house, which his brother Mike and his wife Helen helped to deal with. They filled a Transit van - John was ready for lock-down before Covid was even heard of - preparedness was instinctive to him."*

Another matter was John's shotgun collection which was housed there in three secure cabinets. It seems that John hadn't renewed his certificate when it was due, nor had he told the police about his changes of address. After Tina died he moved into a smaller flat over a kebab shop – and then he met Sam on line and moved in on her - much the same way as Bob Kleasen moved into Barton Upon Humber. If Bob had lived into the internet era no

woman would have been safe, but we'll save that for the book.

John was a huge physical presence of himself, then there was his luggage, baggage, gun cabinets, emergency kits, electronics: Sam felt squashed into a corner of the home she had occupied alone for the past twelve years.

John had a lengthy, if somewhat distant, association with the SRA. He was concerned with much the same issues as the association – the rule of law, the new despotism of civil service policy, the oncoming police state; while also having other windmills to tilt at. He took David Icke seriously, for example. Edward Beck was, by default, the connection between John and the SRA Secretary Richard Law. (Ed)

Sam Phipps again:

*"Both these gentlemen are 'very genuine good people'. Ed used to stay here on occasions when he was passing through. I never met Richard but shared many emails in relation to John's gun collection and he has a forensic knowledge not only of firearms, but the law relating to their keeping and ownership.*

*Richard Law is the reason for me circulating details of the SRA's activities to John's client list, he being editor of the Shooters' Rights Association Journal. He managed to garner some information to prepare obituaries for John (published in Journal 70,) but due to John's absence from 'the circuit' for the past few years it was not extensive, and John knew many people; but finding them is a task.*

*John's funeral was, due to the Covid situation, short on notice, and poorly attended – mainly by his immediate family. Many of his clients and friends who would like to have had their voices heard in their appreciation of John, as a friend or associate, were unable to do so due to the suddenness of his death and the lack of this knowledge reaching them in time to do so.*

*Shortly after his death, plans were afoot for his funeral and memorial to be near where he last lived: then his relatives took over and moved the event to London without circulating details to his friends in Wales.*

*I met a few of John's 'clients' - Fraser of course, many times, another was James G who John defended as a Mackenzie friend. He'd been arrested for supposedly knocking a camera from a reporter during a demo. It was a set up. The video evidence proved it. I drove to Manchester for the hearing as John wasn't driving at the time.*

*John presented himself in a calm and lawful manner, but not so the 'clientele' in the courtroom. There was no respect for the occasion. I know that the law is not on our side, but sometimes to win a fight it is in the accused party's best interest to maintain a modicum of good manners (just my opinion). (This was at Birkenhead Magistrates Court – the video is on YouTube, Ed)*

*I was a complete initiate to courtroom battles and was surprised how noisy they all were. I completely understood why they felt*

*that way - but to me, it didn't seem a sensible way to get a good result. John took the flack from the Magistrate who dissed him for even being there as a Mackenzie friend, but he stood his ground and almost got a result, then James held up a premade banner saying something rude about said reporter who was sitting next to him in the courtroom. It went downhill from there. The police were busy that day escorting one after the other, after the other out of the courtroom.*

*I met several other 'truthers' that day and I'm telling you all this because I can't think of one person John helped, who would be objective enough to write an obituary about him. So many people with sad histories and a society that seems to have discounted them and left them to fend for themselves or institutionalised them, which will do nothing to improve their lot. What a mess of a world we live in eh.*

*Regards*

*Sam”*

**'LETTERS' (actually emails)  
to the editor  
Medical issues**

*Hello,*

*I'm going to be applying for my FAC grant and SGC renewal very shortly, but I just wanted to ask whether or not the GP letter was an absolute necessity? I ask this because it's extra time, money and hassle involved in what's already been a long process (what with the club probationary period, etc).*

*Can / will the police refuse my application if I do not give a GP letter in*



with my application?  
Thanks,  
R

The arbitrary requirement for medicals for all certificate applicants is causing jams. Dyfed Powys police, where our offices are, are 18 months behind and the association secretary's medical form was at his GP's surgery from late March to early August.

In answer to the question, it has become Police policy for all applicants to have medical approval. Rumour has it that Merseyside Police are returning applications unless the GP report arrives within seven days of the application form, which is why the SRA Secretary held his application back until he had the form to send with it.

We continue to mention to MPs that it's bizarre to require higher health standards of people trying to enjoy a hobby than it is of serving police officers and in any event, since the shooting sports were detached from defence of the realm in 1993 and are now purely sports and recreation, the Home Office is the wrong department to have oversight of clubs. It also has no expertise in matters relating to business either; both these aspects of firearms ownership and usage have different government departments better suited to managing them.

### **PLYMOUTH SHOOTINGS**

***...about the Plymouth shooting and the predictable reaction of banning more weapons? I haven't seen or heard anyone mentioning regulating ammunition instead of guns. No ammunition at home unless maybe***

***in a locked cabinet, as for shotguns for example, and the shotgun out of the cabinet on the wall, or ammunition in a club, etc.***

***I have a shotgun in France that my father holds for me, and I'd love to have it on my wall because it's mine and a family heirloom but with the rules in this country I won't. EH***

The current position with live ammunition is that it can only be purchased by certificate holders. In the case of shotgun cartridges, one must produce a certificate for the gun it's going to be used in - guns are listed on the certificates - and that could be a firearm or shotgun certificate as shotguns sprawl across both for legal reasons.

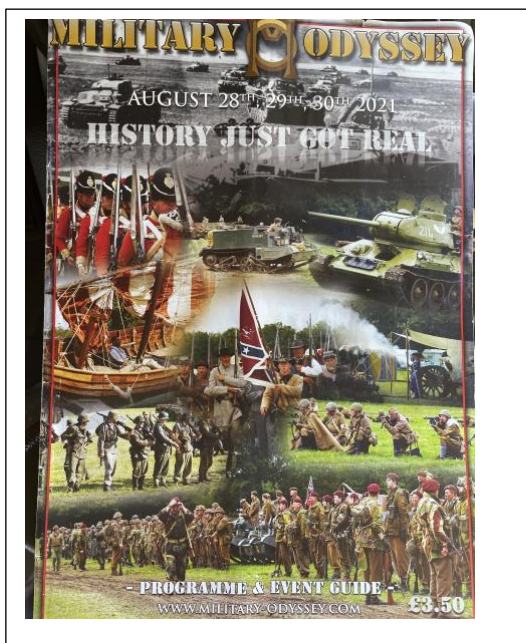
In the case of bulleted ammunition for firearms, the certificate must show the specific calibre for a purchase to be made. There's also a maximum quantity that the certificate holder can have and must not exceed, and acquisitions are written onto the certificate by the vendor.

A certificate also must be produced for the acquisition of 'live' component parts - the powder and primers that reloaders use. All transactions relating to firearms, ammunition and components must be in person - no mail order. The Home Office has turned this screw at every opportunity and what that has done is to highlight the main anomalies made obvious by the spree killers themselves.

On a world-wide basis - i.e., mainly American research, the common

**Contd on page 18**

## MILITARY ODYSSEY



### *2021 Programme*

Apart from last year, Military Odyssey is an annual fixture on the Kent showground at Detling on the three days of the August bank holiday weekend and features multi-period living history presentations, re-enactment engagements in an arena convenient to the beer tent and bigger actions on the battleground.

And to get to any of these displays means stopping at all the trade stands on route: the larger ones in tents and marquees and the smaller trade tables in the Maidstone Exhibition Hall beside the pirates' cove.

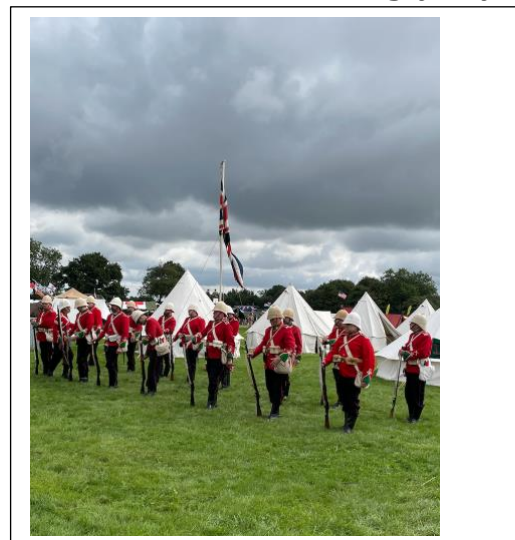
Too much for one day, so we went twice, and our two-day tickets cost less than two packets of cigarettes each. Not that we buy cigarettes, but someone shocked us recently by mentioning the price. We gave them up when 20 king size went up from 30p to 32p a packet.

There were a few gaps in the set-up, as one might expect from a show that

event organisers James and Roger Aslett could not commit to being on until the government committed to lockdown easing. The problem for all event organisers was that they couldn't get cancellation insurance, as the insurance industry wouldn't sell such policies where claims might or would be caused by government decisions: and the government would not underwrite such policies if they had.

Hence Kent's other big event – 'War and Peace' – usually the last weekend of July was cancelled, while this show, in the calendar for a month later, survived to the delight of all who attended. Apart from those who didn't make it.

Not having sunshine made our amateur photography easier and you don't need colour to see the angry sky



as the Queen's Royal West Kent Regiment parade beneath it. It rained on the Saturday – a series of short showers – and held off on the Sunday and Monday when this snap was taken.

Battlefield relics have started to re-appear. Rumour has it that the

National Crime Agency scared the continental traders off selling rusted solid archaeological artefacts in 2019, despite non-statutory Home Office guidance to police advising that they be treated as antiques.

Of course, some antiques ceased to be antiques between Military odyssey and publication of the journal. It shouldn't make any difference to next year's trade, which if anything should be boosted by the ridiculous EU impositions on deactivated guns getting scrapped.

Whatever your period of interest in military history, there would be someone there to enthrall you.

Quite a proportion of the public turn up in costume. These chaps came as themselves and the one on the right spotted us taking candid



camera snaps and in a flash arranged the party for the front cover shot.

We went to War and Peace in 2019 dressed up as an ATS girl and a merchant seaman. It was too hot to drag round the show in those costumes, so this year we went as ourselves and could comfortably have worn our flying jackets over. That's August in England.



*Before this caption: longshot of Southern Skirmish on the battlefield.*

*After this caption, FJR2 WW2 Axis soldier loading magazines for the 4pm battle*



#### PHOTO CAPTIONS FOR COLOUR SECTION

- i. The candid camera snaps taken around pirates' cove.
- ii. Snaps of people in the crowd. Oddball was there but slipped past us.
- iii. More crowd scenes. We don't know who visitors are dressed up and which are off displays taking a walkabout. Everyone had a good time.
- iv. The SRA affiliated groups we ran into at the show – apart from the 4th Indian Division, who exhibited at York and sent the photo.

INSIDE BACK COVER: 20mm gunner on the Second Battle Group (WW2 German unit) on stand 30. Certain newspapers get sniffy about German units being portrayed. But usually pick on smaller events to get irrational about.

### **Cond from page 15**

denominators were white skin and sometime victims of bullying. They also tended to be among the more affluent in their societies. After that 'going postal' as it became known was triggered by a variety of events including a sudden loss of wealth or status, the need to take revenge particularly or on society in general and even being told one has a fatal illness.

In the UK, the sometime victim of bullying does fit the profiles but the most glaringly obvious 'problem' is that in each case issuing the certificate was a police decision. Prior to the Home Office taking over approval of clubs from the Ministry of Defence, getting a certificate was almost masonic. You had to get introduced to a club by a member, pass social muster with the other members and complete a probationary period to make sure they liked you enough to award full membership. The club then decided when you should apply for your certificate and for what firearms.

Clubs wouldn't approve members buying anything that they hadn't been trained on or which didn't fit into the club's competitive programme, so when the application went to the police, you got it with club approval and not without. People who hunt, such as for rabbit control or deer stalkers might not be in clubs, but they wouldn't get the certificate without peer approval of the certificate holders who trained and mentored them, sometimes for years before they applied for certificates.

The change started in 1968 with the introduction of shotgun certificates. These 'replaced' gun licenses issued under the 1870 Gun Licensing Act by the Post Office which cost ten shillings a year. Shotgun certificates were five shillings for three years and issued by the police. It was intended as a registration scheme to replace the Gun Licensing Act 1870, was binned as not worthwhile and then resurrected as a knee-jerk reaction to the Shepherds Bush murders in 1966 to head of media demands for the restoration of the death penalty.

The chief inspector of constabularies - (Sir) John McKay - was so shocked by the number of applications that he formed a committee to 'do something' about the number of guns the public had.

That mission creep fed into the system over the next two decades, partly because the Home Office issued secret guidance to chief constables and partly because of the McKay report, which Parliament binned, became policy among chief constables anyway. By 1987, when Hungerford murderer Michael Ryan got his firearm certificate, he slipped through the net because he trained on a .22" pistol and was approved by his club to buy one. Then he joined a commercial club, where he didn't have to do probation or training because he already had a certificate and when he applied for variations for the Norinco type 56 automatic rifle, Beretta 92F 9mm pistol and the .30" M1 carbine he used for the murders, the police granted the variations in 24 hours because he

belonged to a club where they could be used.

It went downhill from there. We wouldn't have spree killers if the clubs were responsible for what their members get up to. Since the police have taken over that responsibility, they are also liable for the consequences of getting it wrong. RL  
FROM OUR SCOTTISH  
CORRESPONDENT

***The Metro newspaper up here had an article claiming that there are a number of Police Scotland who want handguns available as standard. The way I see it, if you don't think your big stick, pepper spray and Taser are enough, you are in the wrong job. FB***

Depends what the job is: North Wales police, with 0.06% of UK firearms crime (according to Tony Long's book) - which includes certificate holders not signing their certificates or sending their renewals in late etc. spent more than any other force on their firearms training facilities. You couldn't make it up.

Police officers do sue their chief constables for providing defective or inadequate equipment. It's one of the ways that the grass roots have for improving things.

The problem with having a gun, as Jan A Stevenson pointed out, is what do you do with it if you get in a fight in which you can't use it (disparity of force) while risking the assailant getting it from you in a wrestling match. Most policemen and police training point towards using it as remote control: pull the gun, shout

'freeze' and everybody does as they are told. Except they don't. In a close action they'll grab at the weapon, hence the Tueller drill Massad F Ayoob taught everybody on his courses. At a distance, the suspect might look round to see who's shouting and that's how Harry Stanley got shot: turning around to see what the fuss was about. RL

*I don't think they ever have to worry about the disparity issue if they claim they thought they or someone else was in immediate danger. It's served them well enough in the past.*

*It does raise one interesting point; we know via Osman v UK that Chief Constables have no duty of care for individual members of the public, but do they have a duty of care for their employees? If a cop takes a hit because a traffic stop or domestic got out of hand, could the officer claim he was inadequately equipped? FB*

I wondered if that was behind the increase in arming officers with 'less than lethal' weapons. These still provide a disparity of force in the sense that they are prohibited to the rest of the public and in action it's a sort of 'paper, scissors, string' approach. The taser might prevent a knife attack - the Rapid Rotation Baton proved better in my experience - but also might fail, as when Rodney King was on the receiving end: in his case of limb strikes from side-handle batons dished out by a police department whose training budget had been slashed and thus didn't get the full 16-hours of training that included limb-locks.

The pepper spray was a novelty which soon wore off, due to its

limitations. The best one I tested was a foam that stuck, a bit like silly string. The most effective 'less than lethal' option in my experience so far has been shotgun cartridges loaded with a sandbag or rubber balls. The French police had a single shot 12 bore pistol for precisely this purpose more than a quarter of a century ago. They weren't proved as firearms and one tested with an ordinary cartridge at Weller & Dufty blew up. The whole top section of the barrel blew off: presumably to prevent policemen putting lethal cartridges in them. RL

### **MISSING CERTIFICATE**

*My local police claim to have posted me my renewed FAC on 7<sup>th</sup> September – so more than two weeks ago – in the ordinary second-class post. These days they put them in anonymous white envelopes, the same as you do with the Journal. They don't seem unduly concerned that there is an unsigned firearm certificate with all my details and my photograph somewhere in the public domain. They have said they will post another one. If the boot was on the other foot and I'd lost it, I don't think they would be so casual about it. And why do we have to have our addresses on it anyway, now that transactions have to be in person?*

*R Smith*

I'd agree with you that having the address on the certificate is an unnecessary security risk these days. A Liverpool dealer's car was screwed while parked in a gated residential estate he was visiting, and the police reaction was to seize his entire stock from his business address in case the

thief had obtained that address and knowledge of his RFD from what he took from the car.

On the missing certificate, it reminds me of all the 'cheques in the post' jokes. They can afford to be relaxed about it if they know it hasn't been posted yet; but more seriously, the Royal Mail have had a lot of issues and we've seen our Journals taking a fortnight to get through the post to members. Let's see if two certificates turn up...RL

### **SRA MEMBERSHIP FEES**

It was natural that members who could not do anything during the Covid 19 lockdown did not maintain their subscriptions. Battle re-enactment, living history and the ones we call 'talking labels' at historic sites all had nowhere to go, as was the case for most shooters because clubs were shut. In the spring of 2020 only pest controllers were active and that was patchy; some police areas accepted vehicular travel to planted fields that needed protecting from avian wildlife as essential and some didn't.

Towards the end of the first lockdown, there was a point at which the membership doing anything at all was down to three figures. We renewed our public liability policies on an estimated membership – an overestimate as it turned out and the effect of that last year was the 'per head' cost increased.

By the time of our 2021 renewal, the insurance market had changed somewhat. For several years now we have had three companies involved in

our PLI – Zurich carrying the risk of the first £2 million, Allianz and Fusion carrying the risks over and above that figure: a market which Allianz dropped out of last year: so Fusion, as Geo Speciality, have taken the whole of the top up risk and that, along with our reduced numbers also increased the per head cost.

We had a noticeable bounce back in the re-enactment side over the summer, as small shows opened as planned: of the southeast's big events in Kent, War and Peace cancelled, but Military Odyssey went ahead over the August bank holiday with 11 SRA-affiliated groups in attendance and it attracted a record public gate on the rainy Saturday – according to the air soft stand.

That said, a lot of groups are still mothballed and many of those that have reopened have done so with reduced numbers. Our support for members during this difficult time extended to discounted fees to reflect the time lost and we are still intending to be helpful in that regard with discounted membership fees until the end of the year.

Any 'old' group re-joining – however long ago they lapsed can do it for **£18.50** a head. Anybody we've never heard of before is **£22 a head** and all will be valid for at least 12 months from the date of joining.

Group key members can add new people to their groups at any time for the same price – with a 50% discount if your renewal is less than six months hence.

Lapsed individual members – and people who used to be members through clubs coming to us by themselves or as families will be **£36** for the first member and **£11** each for additional family members with the two-year renewal option. **We are grateful to the many individual members who took that option this year – it has helped us a great deal.**

Our New Year pricing, which may be on the websites by the time you read this is going to be **£39.50** for individual members – no change – but **£12** for each additional family member, with an awesome £1 off for the two-year option. We are also offering photo ID for an extra £1 per card. Send a returnable passport type photo or if you have the technology email us a jpeg an existing photo ID to crib from.

New Clubs of 3-29 members will be **£24** per person with cheaper rates for larger groups. All key members can add to their groups at any time for the same prices.

We have yet to sort out renewal rates for clubs next year and currently expect them to be slightly increased. We are a not-for-profit organisation and have to wait until the mist clears before we can see how much we need to ask for. What we are reasonably confident of is that it won't cost more.

### **ANOTHER OBITUARY DOUGLAS HUTICHSON LANG 04/06/59 – 20/07/21**

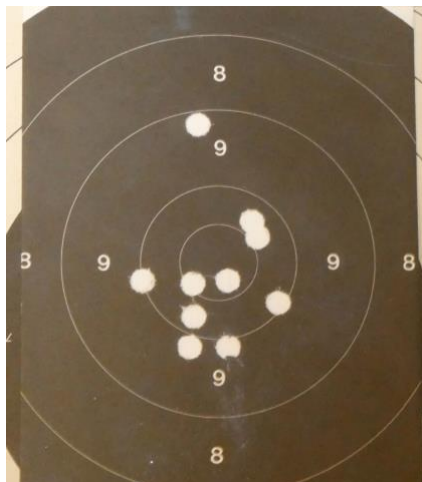
The loss of John Hurst to those who knew him was a blow: then our beloved Dougie was reported as having followed John to wherever one

goes after life on earth. Here's the Scottish SRA's rep's take on the really big yin.

*"If I were to describe my friend to someone who never met him, I'd say that Dougie was...beyond average. He was beyond average height, beyond average girth, very well beyond average intellect, and unbelievably beyond average potential.*

*There's an Arab curse that reads: 'May your every wish be granted instantly,' and although I don't think it landed squarely on him, it gave him a severe glancing blow. He seemed doomed to be brilliant at anything, once.*

*Let me give you an example. We used to go to a shooting centre just outside Edinburgh, and one day the chap behind the counter produced a .32 conversion unit for the .22 pistol Dougie had. We went down to the range, and Dougie replaced the top half of his pistol with the new one. He loaded the two magazines and sent 10 rounds downrange, then pressed the recall button to bring the target back. He had put 1 round into the 9 ring, and the other 9 in the bull.*



*For non-shooters, 99/100 is serious, and doing it with a machine you literally just put together is off the chart, so, he had to add the conversion to his collection. Sadly, I don't think he ever shot that pistol so well again.*

*He always seemed to have enough talent to justify commitment to something, but rarely managed to see things through.*

*Before I knew Dougie, I had the pleasure of visiting the late Geoff Boothroyd, aka 'The Armourer of James bond,' at his home a couple of times. Sitting in Geoff's study, surrounded by firearms of all ages, as well as countless accessories and books on shooting, I felt like Mole visiting Badger in the classic, Wind in The Willows.*

*Going over to Dougie's was more like dropping in on Toad Hall, in that it was a place festooned with all manner of gadgets, gizmos and gee-gaws, all of which had been, at one time or another, 'The only thing.'*

*When his business venture failed, it became necessary to move Dougie to his actual home, he was living at his mother's pitch at this point, and I offered to help. Usually, when you're involved with such a task, your questions run to: 'Where do you want the plates,' or, 'do you have a bag for shoes?'*

*With Dougie however, the conversation was more like: ME: "Where do you want to put the Electron Microscope?"*

*DOUGIE: "See if you can stick it in the box with the matchstick model of*



*the Flying Scotsman.”*

*ME: “It won't fit. That box already has the instrument panel from the submarine and your welding gear in it.”*

*DOUGIE: “Try the box we put the mummy in.”*<sup>[L]</sup><sup>[SEP]</sup>*ME: “The Chinese mummy, or the Egyptian one?”*

*DOUGIE: “You won't get it in with the Chinese one. That's where we put the guitars.”*

*ME: “Are you sure? I thought I saw them in with the longbows.”*

*DOUGIE: “Just the acoustic. The electric guitars should be with the Chinese mummy.”*

*ME: “I could get it inside the kayak.”*<sup>[L]</sup><sup>[SEP]</sup>*DOUGIE: “No. We'll need that space for the lathe engine and the tapestries.”*

*Dougie was more than simply a collector of everything, however. When you were in his presence, reality itself often took a lurch to the bizarre; it was as if the Infinite Improbability Drive from The Hitchhiker's Guide to The Galaxy had activated at the moment of his birth.*

*Whenever I clambered aboard his high roofed Ford Transit, aka Big Red 1, or the skeletonised Uno I christened The Millennium Fiat, the probability of adventures skyrocketed.*

*With Dougie at the wheel, driving into a motorway tunnel and emerging in Ancient Rome wouldn't have been nearly as surprising as it should. If that had ever happened, Dougie would have asked me to check the glove box for sesterces.*

*I tend to imagine peoples' lives like*

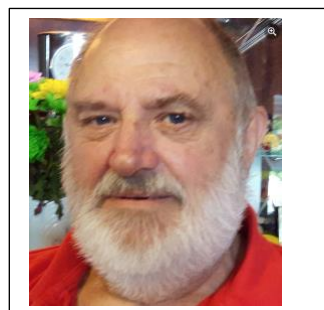
*displays of falling dominoes, with every interaction potentially changing the direction of your display as well as that of the person whose dominoes touched yours. If I never met Dougie, I'd never have been to Bisley, which was where we joined the Shooters' Rights. If we hadn't joined the SRA, we wouldn't have got to rent the Secretary's holiday flat in Wales for some amazing holidays.*

*A few years later when Dougie couldn't get to Wales because his model shop was getting started, I ended up travelling alone, and staying in the Secretary's home proper. This in turn led to my involvement with the Association increasing exponentially.*

*Dougie's last domino has fallen, but the effects he had on me, and others, will continue. I'm going to miss him; as well as being a good friend; life without him in it just won't seem as improbable.*

*FB*

And then Victor Chambers (11th August 1948-25th July 2021) died, aged 72. Vic was one of the team who constructed the SRA range in 1988/9, working with Andrew Hepple on the railway sleeper backstop and later with James Logan – and then by himself on constructing the firing point. We'll miss him.



## BOOK REVIEW

### Black and blue

By Parm Sandhu

- ASIN: B08Q32JSYT
- Publisher: Atlantic Books;  
Main edition (10 Jun. 2021)

*“I was named Parmjit but family always called me Pummy, although my Western name was Parm as I got older.”*

Her family name was flexible too. Sikh girls usually get the tribal name Kaur (princess), but there were too many of them in the Birmingham school system, so she was given Sandhu instead. It's another Sikh name but from further north than her family's origins.

We heard Parm on Radio 4's Woman's Hour the week before this book came out. She spoke of her experiences climbing the greasy pole of promotion in the Metropolitan Police Service - to which she would cheerfully return (having been pressured out by institutional racism after holding on by her teeth to finish her thirty) if they wanted her back to help sort things out. Having read the book cover to cover, we suspect they'll pass on that opportunity.

On opening the book, we got a couple of anecdotes about her being a rookie cop and then her back story, which proved quite fascinating. She grew up in a Sikh enclave in Birmingham. All the male immigrants in her community had come from the Punjab for work - we've said before that nobody came to the UK for the weather- and they settled in the same few streets where they operated socially pretty much as they had in

their villages in India.

Her dad's concession to being in England was taking her to the library every Saturday. He would not go in himself, despite the librarian inviting him to, because he didn't have the right clothes. While there was no obvious need for a Sikh girl to learn English or to be educated, the latter is compulsory in the UK and the former necessary for the latter to work. And he clearly wanted the best for her but couldn't cross any of his community's red lines.

That led to Parm getting married aged 16 to someone she'd never met before; her struggle to persevere in higher education and then in the job market despite the rigours of her domestic duties in the Sikh extended family and the violence inflicted on her when she tried to assert herself.

Her wider recollections of events outside the Sikh bubble begin with Enoch Powell's 'rivers of blood' speech 20th April 1968. We remember that too, it being all over the newspapers we delivered next morning in Devon. Richard Crossman mentions it in his diary in the context of the second reading debate of the Race Relations Bill on the 23rd of April. Between the speech and the debate Enoch Powell was fired from Sir Edward Heath's shadow cabinet; so presumably he achieved his objective of drawing attention to the debate and to the views he intended to express in it.

She also mentioned Gordon Walker losing his Labour seat in the 1964 general election - he lost to a Conservative who campaigned on a

racist slogan, but as a favourite of Labour Party leader Harold Wilson he became the Labour candidate at each subsequent by-election until Leyton sent him back to Parliament in 1966 and straight into Wilson's cabinet as minister without portfolio.

Then she remembers the tribulations around 1981, as one ethnic community after another escalated protest into riots. Our recollection of 1981 is that the media seemed to be pumping it up from Brixton to L8 and beyond before it fizzled out with Princess Diana's wedding. L8 became 'Toxteth' in media reports, which confused L8 residents as to where the trouble was.

In Walthamstow the 1981 Khan funeral was policed so tightly that little trouble broke out. They'd died in their fire-bombed house and the funeral was delayed for months to give the one survivor recuperation time so that he could attend. Discussing this with a Waltham Forest Magistrate some months later that year (for our dissertation) he said that young Asian people arrested in the aftermath of the funeral were the first of that ethnic group to appear before his juvenile court. At that time, he said, young West Indian people accounted for 24% of the school population and 44% of defendants.

Various social work mentors likewise echoed the absence of the Asian community from their workloads and in this book Parm tells us why: they operated in their own bubble and that meant she had no outside help to turn to.

She gives her readers access to that closed community as she explains her desperation to escape it. Her husband's family considered her a bad egg and beyond redemption. It was her family that had the 'honour' issues with her behaviour bringing shame upon them. And they didn't know about her spell as a DJ on a pirate radio station.

When she fled to London with her young son, she was helped by her brother and her DHSS employers; it proved too difficult to keep her son, whom she passed back to her brother to continue his life in the Sikh bubble.

She concentrated on working to a house deposit. Her DHSS work meant hunting down benefit cheats, and a police officer pointed out that she was doing much the same work as he for less money.

Talking to a black officer about racism, he played it down: citing all the school boyish taunts about anyone who was different: Scottish accent, too tall, too short, ginger hair, black, glasses etc. He told his peers at police college his previous job was stealing ladies' handbags which is how he got the nickname 'dipper.'

Then a TV show featured Hendon Police College; *".... lines of young officers dressed in overalls alighting from semi-military vehicles and crouching behind riot shields as they edged forward, batons at the ready, into a baying mob of rock-throwing demonstrators. This is unlikely to be what (Lord) Scarman had intended when he recommended a new dimension in training for dealing with a multi-racial society."* In his report about the 1981 Brixton riots.

Nevertheless, she went for it; she ***“was just 25 years old and the only young female Asian officer based at Limehouse (a feature of the Jack the Ripper enquiry in 1888) station, and one of the small number of black, Asian and minority ethnic (BAME) officers who made up less than 1 per cent of the entire 28,000-strong Metropolitan Police Service (MPS).”***

She was teamed with an area car driver one night after he'd tried Clint Eastwood's "I work best alone" speech on the inspector without moving him. He drove to a dark spot and detailed her to check a parked car and while she did that he drove off without her.

Her recollections of Hendon Police College were that it wasn't ready for non-white recruits and was still using nineteenth century ethnic labels in their race codes. She only met two other Asian trainees.

Still, the Met tried but the ***“trouble was that Shab was Muslim from a Pakistani background and her family had originally spoken Urdu, but she was sent to an area of Tower Hamlets where the minority community were from Bangladesh, and therefore spoke Bengali. My own background was Indian and Sikh, but I was sent back to Limehouse, where there were also quite a few people who had originated from Bangladesh, but precious few Sikhs.”***

Her book is a constant procession of racist incidents towards her, although one of the most prolonged and serious (when she was in Greenwich) she attributes to misogyny rather than race. She was always an outsider, ***“belonging to the same golf-club or masonic lodge, or drinking in the right***

***pub, undoubtedly oiled the wheels of progression for a certain kind of officer, (but) none of these options were available to me”.***

As for the masons – another men-only club – ***“My friend Chris Donaldson, the young black officer who'd originally persuaded me to apply to join the police, is disarmingly candid about the Freemasons: ‘I joined because I thought it would help my career in the Met,’ he says, and then smiles, ‘but, unfortunately, it never did.’***

And as for being a woman in a man's world, ***“In those days, female constables were either a ‘bike’ or a ‘dyke’. You were a ‘bike’ if you'd sleep with anyone who asked you, and if you wouldn't, you must be a lesbian”.*** The late John Hurst (obituary in issue 70 and more in this issue) referred to female officers as 'lap-tops' – small PCs. Reading Parm's book left us wondering to what extent John Hurst might have worn the enormous white male racist stereotype that she encountered in her service.

Our impression was that John was dismissive of female officers generally because they could not do, nor would anyone expect them to do the work he did. Having a WPC with him could compromise him doing his job as he had that officer to protect besides himself. He never said anything overtly racist per se and he felt the barbs of racism from the Welsh police stinging him in his encounters with them. He did make occasional anti-Semitic comments, but they seem to emerge from his penchant for conspiracy theories rather than from any direct experience.

Various people we've encountered over the decades have some objection to a club they aren't in, and Jewry is one of them. We hear a lot more negativity from members about masons and in neither case - masons or Jewry - has there ever been any evidence to suggest that our members' position or predicament is caused or attributable to either.

Parm, on the other hand, had loads to say about the way she was treated. After a while, we remembered a comment by our solicitor David Williams about the Police and Criminal Evidence Act 1984. He said that prior to the Act, defendants could and would dispute the contents of statements they allegedly made and signed in custody when the case got to court.

We have experience of that from before the Act when the Met did written contemporaneous question and answer interviews in which the policeman wrote down the opposite of what the juvenile, I sat in with said. I got arrested when I refused to endorse the document on the grounds that his notes differed from mine. The juvenile and I were released a couple of hours later - a discreet exit via the back door - when a superintendent made an unannounced visit to the station: but all the paperwork and my notebook were destroyed before we left.

David Williams said that the recording of interviews brought in by PACE pretty much ended disputes about what was said in interviews, to the extent that by 1990 (when he related this) there were police inspectors who'd never given oral

evidence in a court in their careers. Defendants accepted what they'd said and so did the police side if they'd got the wrong man.

If only Parm had worn a body cam; then this book would be shorter and her experiences less traumatic. On trauma, a lot of what happened or nearly happened to her also happened to everyone else female, such as initiations into the club: except in her case getting into the club was a non-starter.

Her private life became public as the media intruded at the behest of tip offs or unattributable briefings. It's a feature of her career, and that of many of her non-white colleagues that they got treated as target criminals; ***"By October 2019, when I resigned from the Met, I was a chief superintendent - making history as the first non-white female to rise through the ranks and achieve that status in the 189 years of the London force."*** (but) ***"I found myself accused of a series of charges of misconduct, gross misconduct, and even of breaking the law. False and malicious allegations were leaked to newspapers, and the force to which I had given loyal service above and beyond the call of duty turned its fire on me in a manner which seems so vindictive that it defies understanding...at the time of writing, no fewer than five of the six BAME officers of chief superintendent rank or above in the MPS are under investigation for alleged misconduct."***

She couldn't report 'colleagues' for their shortcomings, maladministration or criminality because doing so invariably backfired and turned into yet another investigation of her. We

get the impression that someone – or the system - was always out to get her, such as the time when she had moved to Kent and rented out her Abridge (Essex) house to a Vietnamese couple...we knew what was coming; having had a similar case. They turned her house into a cannabis factory and fled after a break-in attempt alerted neighbours and local police.

She was 'lucky' in that one as whoever tipped the media off that the house belonged to a senior police officer thought it was her husbands. He'd recently retired from a higher rank than she achieved and by the time the media worked out it was her house they'd become more interested in her directorship of her husband's training company. Media interest has its own impact; *"...what can happen to an innocent individual when she unwittingly finds herself in the crosshairs of the British press and media. It's like suddenly you lose control of your life, and you're waiting to be knocked about by whatever or whomever chooses to turn your private business into public property."* Been there, done that. It's the routine way the police treat registered firearms dealers.

She did find time to do some real policing in her thirty years and given our interests in how policing manipulates the facts about the law-abiding firearms subculture we are always on the lookout in police memoirs for their experiences of dealing with FAC holders. Parm is thus another disappointment, but she did get some on the job experience of

firearms incidents.

*"One day, I received a call reporting 'shots fired' at an address on a council estate in Bow. The scene which greeted me when I arrived was more like something from a horror film. Lying in the street outside the house was the body of a young man with a mass of blood and gore where his face should have been. The lad was only about 15 years old, and he'd had a falling out with his girlfriend, who was the same age. He'd stood outside her house with a loaded shotgun and threatened to blow his own head off unless she came out. When she didn't, he fired the gun into his face and was instantly killed."*

Violent use of firearms is always a shock, if only for its rarity. Our policing experience of violent firearms incidents amounts to an accidental suicide and an attempted suicide. Parm had more experience to come in the form of a double murder outside a hotel in the Romford Road, Stratford in 2003; *"Ayub Khan was still angry as he drove away, and about ten minutes later he came back with two other Asian men and started to damage the van which had blocked the road. Then one of the men pulled a gun out of a bag – later identified as a MAC-10 pistol capable of firing 1,000 rounds a minute. He opened fire, killing both Amarjit and Rajinder."*

The victims were shot for blocking Mr. Khan's car into the hotel car park. He fled abroad and was eventually returned to face justice. At the time of writing he's still serving his sentence. We take a side-bar interest in MAC 10 pistols. Most of those that have turned up in crimes like this one were originally made as blank firers and were bought by a scrote who said he

was working in the movie industry. He then extensively reworked the blank firers to make them 'live'. All that remained on the finished murder weapon of the original blank firer were parts that could have been bought without a certificate – the magazine and grips, for example.

When not being dogged by the Met's white majority trying to destroy her, Parm found time to be useful to society, such as to a committee set up by Lady Gilda Levy ***"to bring together people from all religions and ethnic groups, to show that the subjugation of women isn't a genuine part of any of the actual religions themselves – mostly it's a construction by the groups of men who've run them for their own benefit for centuries."*** Her work on that got her an invitation to meet the Pope, which she did despite her chain of command ordering her not to. ***"I'm just 5 foot 3 and a bit, and he is shorter – a little old man with white hair, wearing a white cloak and dress. When I glanced down and saw that he had on the most impressive pair of bright red shoes, for a moment I had the irreverent thought that if he clicked them together he'd be back in Kansas."*** He gave her a gold medal and one for each of her children.

In another turn, her boss was asked in an interview about how to tell an ethnic minority officer that she didn't fit the role; ***"Now I was being used as a bloody exam question."***

Her preparations for the Olympic Games security in London in 2012 got interrupted by other events; the one that ***"quickly barged its way to the top of the list was, of course, the outbreak of rioting which followed the shooting by***

***police of Mark Duggan in early August 2011. Duggan had been targeted as part of Operation Trident, which was an intelligence-led investigation into gang warfare in the capital. Officers had reliable information that he was carrying a firearm, and believed he was on his way to shoot a member of a rival gang. When they stopped a minicab he was travelling in, he tried to make a run for it. Shots were fired, and Duggan was later pronounced dead at the scene."***

One of those cases in which the deceased didn't know how to behave when accosted by armed police officers. He tried running from the car after the police stopped it but in running away from one officer, he ran toward another who, in the extremes of tunnel vision and aural exclusion interpreted that act as hostile and fired. His bullet went through Mr. Duggan and hit the officer pursuing him on the radio. A classic 'Irish Firing Squad' scenario. The bullet was a dum-dum type prohibited for use in self defence by European law.

To keep the security at the games running smoothly – i.e., without releasing officers to attend court she ***"devised a scheme in which a sworn statement could be read into evidence, without the need for the officer to appear in person. Once the detail was formulated, I coordinated and then chaired a meeting involving the Lord Chief Justice, the Chair of the Olympics Working Group on Crown Courts, and the Chief Prosecutor, all of whom readily accepted and declared themselves willing to adopt the new procedure. These novel arrangements did indeed free up hundreds of officers to be on the streets where they could be***

*more effective, and brought about a radical change in courtroom procedure, which remains in effect to this day."*

How it works without the officer available for cross-examination, we don't know and she doesn't tell us.

She had to divert resources during the Olympic operation to bolster the search effort to find Tia Sharp: murdered by Stuart Hazell, she lay decomposing in the loft of her home for a month, where she was missed by four separate police searches until the smell led a fifth search to her remains.

She was duty superintendent at Charlton when Lee Rigby was murdered - and snubbed by her boss there yet again, as was typical of him. He went to the scene with the other superintendent.

Having cited many examples of investigations of her and other BAME officers, she mentions a case against a retired officer: *"eventually it came to court, the jury took less than an hour to acquit him of all charges - not least because the particular baton allegedly used in the assault had not been introduced into the Met until ten years later, and also that the police's own records proved that he had not even been the arresting officer on the occasion of the alleged assault."* You'd think that not being there at the time and accused of using a weapon that did not exist at the time would have been enough of an alibi for magistrates to have thrown this out at committal, but the indictment process has become a pass-the-buck process and magistrates have become rubber stamps for the Crown Prosecution Service.

Time and again we've had cases

against members thrown out of court because there was no case to answer - yet CPS officials and magistrates continue sending these cases through; presumably because they've been told to. Whatever happened to the Grand Jury?

(You can see the late John Hurst's work on grand jury revival on YouTube and Edward Beck has also posted John's video archive on the SRA Face Book page. John annoyingly didn't report his judicial results but much else he got up to is in the video record.)

We've mentioned other police incidents in these journals, such as the death of George (I can't breathe) Floyd and incidents such as that feed back into policing across the five eyes system. Parm mentions this obliquely in the context of advice to get restrained prisoners to their feet as soon as possible after advice that it's very difficult to breath normally in prone restraint. If Derek Chauvin had followed that, we'd never have heard of him, and he'd still be policing the streets.

After a spell at Her Majesty's Inspectorate of Constabulary (HMIC) - all too short really - she went to Bromley as chief superintendent and thus as deputy commander to one of the 'club' who had tried terminating her career when she was at Greenwich. Among her initiatives was this one reported in the Bromley Borough Commander's Newsletter from April 2015: *This month saw Bromley officers secure the first body-worn video (only) successful trial in London. The officers from my*



***Community Safety Unit worked tirelessly to secure the first conviction***” No mention of the officer who piloted the scheme to that result. ***“Exactly as I had feared, and exactly as had been the case in Greenwich, I felt from day one that I was unable to do a thing right in the eyes of my boss. It seemed to me that every possible opportunity was taken to belittle, intimidate and bully me.”***

How about this email: ***“Please can you attend Empress State Building 6th floor lift lobby where a member of the team will collect you, to conduct an interview to discuss your Indian heritage (my emphasis). Please bring with you Passports covering the past 10 years including Passports or Identification documents [sic].”*** Her emphasis got lost in our editorial policy of putting direct quotes in bold italics. It was the ‘Indian heritage’ that this Brummy highlighted, and that investigation didn’t get anywhere; but other investigations brought their own consternations.

***“gross misconduct is one of the most serious that can be made against a serving police officer. It covers matters such as assault on a colleague or a member of the public, giving or accepting bribes, racism, bullying, etc. But the charge facing me didn’t involve any of these. It was an allegation that I had lobbied on my own behalf for an award of a medal and, if proven, this might be a breach of internal police guidelines”.***

It’s quite normal for people who think they are owed a gong or a knighthood to canvass for it, but only the white upper crust can do that without making waves.

In summary ***‘Here we go again’.*** ***What had emerged over three decades was a pattern of good news quickly being accompanied by bad news – and it seemed to be repeating itself. When, for example, all those years ago, I’d felt ready to take the sergeant’s exam, suddenly there emerged the first suggestions that my performance had been below standard. When my experience and record seemed to make me a candidate for the High Potential Development Scheme, suddenly I was rejected and told ‘never apply again’.*** ***When I’d been promoted to chief inspector, a minor domestic incident on the touchline of my son’s football pitch had been turned into a national news story. When our house had been taken over and wrecked by cannabis farmers, someone informed the press that the house belonged to me, and not my husband Rod. When I was given an operational role as superintendent in Greenwich, someone tipped off the newspapers that I was a non-executive director of my husband’s security firm, and that this might be in breach of the rules on outside interests. Time and time again, I had found myself hounded by journalists and photographers, which invariably led to outpourings of disgusting abuse directed at me on social media.”***

If you’re in the shooting sports from big game to air soft, what’s happened to her could happen to you, as it does to so many shooters. It’s not so much ‘institutional racism’ being revealed as the sheer prejudice towards everyone who isn’t in that blue club. 🙄

**\*Fitting Greenly v Lawrence on one page was tricky -**

**K.B.D.J GREENLY v. LAWRENCE**  
(Lord Goddard, C.J., Humphries and Finnemore JJ.), January 12, 1949.] *Firearms-Certificate-Appeal to quarter sessions against refusal of police to grant or renew- Discretion of quarter sessions-Firearms Act 1937(c. 12) s. 2 (8)*

On an appeal under S 2 (8) of the Firearms Act 1937, against the refusal of a chief officer of police to grant a firearm certificate under S. 2 (2) of the Act quarter sessions must consider whether the applicant for the certificate has a good reason for having a firearm or ammunition in his possession and can be permitted to have it in his possession without danger to the public safety or to the peace. The question whether the certificate shall be granted is a matter solely for the discretion of the quarter sessions whose decision will not be set aside unless there is some error in law.

CASE STATED by the Recorder of Reading. At the general quarter sessions for the borough of Reading held on Jan. 29 1948, Sir John Greenly, the owner of a pistol appealed under the fire-arms 1937, s (2) 8, against the refusal of the chief constable of Reading to grant a renewal of a firearm certificate under s. 2 (2) of the Act authorising him to have in his possession 50 rounds of ammunition for a .25 Colt automatic pistol. The recorder found as a fact that the applicant for the certificate was not in any way unfitted to be entrusted with a firearm and that he had been a good shot with both rifles and revolvers. His residence stood in its own grounds and could easily be approached by an intruder from the south and west. He was aged 63 and kept a large number of valuable articles in his house. He wished to possess ammunition for the pistol to protect himself and his property by shooting if that became necessary in the event of an attack by an armed intruder. The recorder held that this was a good reason for having possession of the 50 rounds of ammunition and allowed the appeal.

The Divisional Court dismissed the chief constable's appeal against this decision on the ground that it was a question for the recorder's discretion.

*Glazebrook* for the appellant. *J. C. B. W. Leonard* for the respondent.

LORD GODDARD, C.J. : Under the Firearms Act 1937, s. 2 it is provided that a person may apply to the chief officer of police for the grant of a certificate enabling him to have in his possession a firearm and ammunition for it by s. 2 (2) :“the certificate shall be granted by the chief officer of police if he is satisfied that the applicant has a good reason for purchasing, acquiring or having in his possession the firearm or ammunition in respect of which the application is made, and can be permitted to have in his possession that firearm or ammunition without danger to the public safety or to the peace ” (By sub s 2 (8) 😊 “Any person aggrieved by a refusal of a chief officer of police to grant him a certificate under this section or to vary or renew a firearm certificate, or by the revocation of a firearm certificate under para. (a) of the last foregoing sub- section, may appeal – in England, in accordance with so much of the provisions of sched. 1 to this Act as relates to appeals, to the court of quarter sessions having jurisdiction in the county, borough or place in which he resides. If the applicant does appeal, the recorder, if it is in a borough, as in this case (or a court of quarter sessions, if it is a county) must consider whether the applicant has a good reason for having in his possession a firearm or ammunition without danger to public safety or to the peace. If quarter sessions comes to the conclusion that the reason advanced by the applicant is a good reason, the court is to grant him a licence. It is a mere matter for discretion. We do not sit in this matter as a court of appeal. We only sit to decide whether the recorder has gone wrong in law. We can find no reason for saying that he has gone wrong, and, therefore, this appeal fails and must be dismissed with costs.

HUMPHRIES, J. : I agree. FINNEMORE, J. : I also agree. *Appeal dismissed with costs.*  
Solicitors : *Rexworthy, Bonser & Wadkin, agents for Shepherd & Fullbrook,*

Reading (for the appellant) ; *Crawley, Arnold & Co.* (for the respondent)  
*Reported by : F A Amies Esq. Barrister-at-Law*

# MILITARY ODYSSEY DETLING, KENT 2021



101st Airborne  
(WW2 Screaming Eagles)