

# Replica Firearms: A New Frontier in the Gun Market

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## Executive Summary

- 1.1 This report summarises the results of an enquiry conducted in August-October 2000 at the University of Durham into what appears to be the increasing presence in criminal incidents in Britain, and in some other countries, ever more sophisticated *replica firearms*, newly manufactured involving an impressive level of detail, to resemble well known models of weapons (especially handguns and pistols) produced by gun manufacturers in the Czech Republic, France, Germany, Italy, Japan, the U.S. and other countries. The concern is to raise a series of connected issues:
  - a) the issue of what constitutes a replica firearm, given the almost identical appearance of many replicas currently on the market and serious handguns of the kind that have been outlawed in Britain by the Firearms Act of 1997;
  - b) the question of what these increasingly authentic looking 'replica weapons' (especially those which cannot be fired) are for. Is it realistic to suppose that replicas have any real use in sport? Or, does their essential function (whether 'blank firers' or airguns) lie in their capacity to imitate? What is the relationship between the growth of the replica firearms market and the troubled condition of masculinity, with its fetishism of violence?
- 1.2 To investigate these and other questions, four focus group-style discussion meetings were held with staff employed in Durham by major national banks and other financial institutions, with a group of police officers undergoing training at the Police National Training Centre in Durham, staff employed by the local Wine Cellar retail outlet and a group of students of the University of Durham. These sessions were organised around the display, under appropriate supervision, of six pairs of 'real' and 'replica' firearms provided for this exercise by the Operations Division of Durham County Constabulary, and also taped the hour-long conversations which each 'gun recognition exercise' produced.
- 1.3 Of the four groups involved in this exercise, only the police officers in training were able to identify the weaponry on display as 'authentic' or 'replica' more accurately than if they had been making an entirely random choice (i.e. 50 per cent accuracy). The chances of accurate identification were not significantly improved by a second 'round' in which the pairs of firearms were on display for longer than 30 seconds - as against the five seconds' display of the firearms on the initial display.

- 1.4 The responses of our group discussants to these weapons, and to information provided to them about the increasingly frequent use of replicas in armed robberies, revolved around four themes, each of which are discussed at greater length in the body of this report:
- a) Astonishment at the existence and the scale of this market, coupled with a concern that these issues (notably, the carrying of a look-alike handgun) could and should have been tackled in the Firearms Amendment Act of 1997.
  - b) A cynical view of the motivation of the gun manufacturers, in placing so much energy into the creation of market for such consumer items.
  - c) An exploration of a range of different explanations as to the motivations that might lead people to acquire such replica weaponry in the first instance. These might range from the way in which some young people might acquire such weapons as a part of their search for respect in particular localities or cultures to the kind of collecting urge which is sometimes apparent amongst army veterans (and evident in the so-called 're-enactor' markets in replica weapons from the Second World War) and
  - d) An almost unanimous view as to the serious dangers which this unregulated market represents - for example, for police officers in the course of their work (responding, as they often must, to incidents on the assumption that they involve a real rather than a replica weapon) or for employees of banks and other financial institutions (in respect of the trauma involved in being targeted by any kind of unidentified firearm). A particular concern was with the impact which the increased provenance of replica weapons might have on calls for the arming of the police in Britain, with all the negative consequences which this was thought to have for recruitment and retention of officers.
- 2 In a second dimension of this research, an attempt was made to try and understand how the increasing availability of replica weaponry might be a function of strategic innovation on the part of the gun trade itself. Particularly following the work of Tom Diaz (1999) on the America gun industry, the concern here was to see how gun manufacturers grasped the challenge that was beginning to emerge in the 1970s and 1980s (a reduction in consumer demand, especially for old-fashioned western style weapons). The encouragement given by the gun trade in subsequent years to the carrying of weapons by private citizens for purposes of self-protection (a campaign especially targeted at women) and the constant pressure on law enforcement bodies themselves constantly to upgrade 'the stopping power' of their weaponry were both very significant aspects of gun manufacturers' energetic search for new markets. So also can we begin to see the development of new partnerships between firearms manufacturers, sporting gun producers and distributors, and toy manufacturers (based in different parts of the world) as examples of the industry's dynamic search for new markets. Enquiries with the Department of Trade and Industry and H.M. Customs and Exercise in Britain suggest that the value of the import trade into Britain has increased by some 52 per cent between 1997 and 1999. There is an urgent need for more in-

depth investigations of this particular import and export market as a measure of the gun trade's own creative activity in trying to underwrite its own future.

- 3 The Report concludes with a brief overview of various initiatives currently being undertaken by national governments, in the name of the more effective regulation of the new market in replica firearms, and a discussion of some of the arguments which will inevitably be raised against an outright ban of such weaponry (and, indeed, against any further move towards regulation of the private firearms trade between sovereign-consumers).

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## Appendix One

Some selected press reports on airgun and replica weapon incidents, UK national and local press, August-October 2000

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### 1. Introduction

What follows is a report on research inquiries conducted into the increased availability 'on the open market' in Britain of so-called 'replica' (or 'lookalike') weapons, and the implications of this developing market (for example, for police officers or for staff of banks, financial institutions or other retail outlets, as well as for citizens in general).

The research has been made possible by a grant from the INFER (Information on Firearms, Education and Research) Trust, a newly established national charity whose objectives are described in its title, but also by the active assistance we have received from Durham County Police (most notably, through its Operations Division) Replica weapons have become an increasingly salient issue in this police force area in recent months: the vast majority of the 81 firearms incidents dealt with during 1999-2000 involved replica rather than real weaponry (Durham County Constabulary 2000: 45) <sup>[1]</sup>

Our enquiry has fallen into three phases:

- i. We have conducted an enquiry into the direct marketing of replica weapons to potential consumers in Britain. This has involved visits to three arms and militaria fairs held in the North of England in the summer of 2000, to a number of gun shops in North of England cities as well as to a number of other retail outlets (war games stores, street market stalls) where replica weaponry had been found to be on display. It has also involved close examination of the gun trade magazines on sale in Britain.
- ii. With the assistance of Durham County Police, we have also conducted four 'consultations' with members of the public in the Durham area. These sessions have involved the display to these groups of pairs of authentic and replica weaponry, with a view to ascertaining whether these members of the public are able to distinguish between these authentic and replica guns - firstly, on a fleeting glimpse and then on a more extended scrutiny. We have then recorded the discussions that ensued in each case amongst the different members of the public in attendance. We will report on these discussions later in the report, The four groups with whom we have held consultations have been:
  - a) employees of local branches of major national financial institutions (banks and building societies).<sup>[2]</sup>
  - b) **police** officers in training at the National Police Training Centre at Aykley Heads, Durham.<sup>[3]</sup> Seven officers, representing Norfolk Police, Lincolnshire Police, Northumbria Police and South Yorkshire Police attended.
  - c) representatives from different retail outlets (including off-licenses and wine stores) in the Durham area.<sup>[4]</sup>

- d) eight representatives from the student body at the University of Durham
  - iii. We have also undertaken some preliminary investigations into the relationships between the market in replica weapons and the 'gun trade proper' - trying to understand the imperatives which have driven well-known and well-established firearms manufacturers throughout the world into new partnerships with other companies involved in the manufacture of replica weapons (whether in the form of air guns, 'blank-firers' or other versions).
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## 2. Background: the Use of Firearms in Crime in Britain

Anxieties about the increased availability of firearms in Britain - especially around their use in crime - has generally focused on the threats that have been thought to be posed by the illicit use of 'real' firearms, especially - during the 1990s - the easily-carried and concealed, increasingly inexpensive, handgun. The banning of private ownership of handguns in the Firearms (Amendment) Act of 1997 was the (widely-supported) response of Government not only to the appalling tragedy at Dunblane Primary School, but also to the concern that the increased ownership of 'the handgun' constituted a more general danger, notably in terms of the possibility of such weapons finding a way into the hands of 'criminals' for use, for example, in armed robberies.<sup>[5]</sup> One measure of the impact of the 1997 Act is the fact of the sharp reduction in the use of handguns in armed robberies in England and Wales over the last three years: the use of handguns in robberies declined from 3,347 in 1996 to 2,580 (a reduction of 22 per cent).<sup>[6]</sup>

Campaigners for the ban on civilian ownership of handguns in Britain never argued that such a ban, in and of itself, would guarantee a reduction in the overall totals of firearms offences being reported to the police. There has always been the awareness that a ban on handguns might result in some firearms owners developing an interest in other firearms types, substituting different kinds of rifles and air weapons, in their personal collections *in lieu* of surrendered handguns. Many of these weapons might have quite significant capacities to injure or to maim, and even, in some instances, to kill - though they might, nonetheless, have the distinct disadvantage for serious criminals of being more difficult to conceal and carry. Gun control campaigners were also always aware that the outlawing of handguns in the 1997 Act would provoke compensatory responses not only from committed firearm-owners (particularly from erstwhile, committed 'handgunners') - searching for weaponry as closely resembling the lost handgun as possible - but also from the gun trade itself, in trying to fill the gap in the market created by the ban on the sale of handguns. These (and other) developments in the 'firearms market' remain extraordinarily unresearched in Britain, especially by comparison with the United States.<sup>[7]</sup> A voluminous literature on firearms issues in that country now extends to analyses of the firearms market (which, as recently as the 1980s, was seen a stagnant area for investors) as a highly profitable and dynamic business (cf. Diaz 1999). One of the objectives of the newly-established INFER Trust is to begin to fill the gap in serious research on firearms issues in Britain, not least via investigations of the role of the firearms trade in the construction of the 'gun problem' in Britain.

Concern over the increased use of firearms in England and Wales in the 1990s found expression in two research enquiries into armed robberies in individual police force areas (O'Donnell and Morrison 1994, 1996; Matthews 1996). O'Donnell and Morrison carried out a detailed study of the files on 1,134 incidents of robbery and attempted robbery in the Metropolitan Police district, and followed this up with interviews with some 84 prisoners who had been convicted of armed robbery during the course of that year. On the evidence of these files, some 1,211 guns were used in the 1,134 robberies, but in 80 per cent of the incidents the firearms were never recovered. Further analysis suggested that the types of firearm used in the robberies were as follows:

**Table 1. Types of firearm used in robberies, Metropolitan Police District 1990**

**Recovered firearms**

Known to be real	6 per cent
Known to be imitations	11 per cent

**Firearms not recovered**

Seen by witnesses and <i>believed</i> to be real shotguns	12 per cent
Seen by witnesses and <i>believed</i> to be real handguns	55 per cent
<i>Not seen</i> by witnesses but impression created (by demeanour, demand notes etc) of firearms-possession	16 per cent

O'Donnell and Morrison (1996): 309-310<sup>[8]</sup>

O'Donnell and Morrison show that the display of firearms by robbers varied considerably in terms of the different targets under attack: attacks on security vans and jewellers' shops almost always involved what were thought to be real firearms, whilst a quarter of all attacks on building societies and betting shops took the form of a note or a verbal demand. Overall, however, there was hard evidence of *real firearms being used in only those 6 per cent of robberies* where the firearms used were recovered by the police. Subsequent interviews with the 84 'gun carrying robbers' interviewed in prison indicated that 14 admitted having used a real pistol (loaded with live ammunition) during the commission of their offence; whilst a further 20 has used sawn-off shotguns (loaded in 14 cases, unloaded in the other six). But 19 of the robbers claimed they had never used a real *or* a replica firearm, but had relied on their demeanour or a demand note to carry out their robbery, whilst a further 31 indicated that the weapon they had carried during their offence had actually been an imitation, bearing a close resemblance to a real weapon but incapable of firing live rounds (O'Donnell and Morrison 1996: 313). So there is *a priori* evidence from 1990 that imitation or replica weapons may have played an important role in many so-called 'armed robberies' reported in England and Wales. It is quite clear, of course, that the use of these replica weapons had the intended effect - that is, of intimidating the staff working in the targeted bank, building society, off-license, garage or corner store, and thereby effecting the robbery.

There were also a number of incidents during the 1990s in which the presence of imitation or 'look-alike' weapons was to have lethal effects. One of the most well-known such incidents involved the killing by West Yorkshire police of 'Cowboy' Bob Dixon on the Sycamore Estate in Huddersfield in December 1994. Mr Dixon, a well-known local character, was celebrating a successful fund-raising Christmas event at a local club by firing shots from his replica Winchester Trinity revolver (an air gun), but local police were unable at a distance to distinguish this replica weapon from 'the real'. <sup>[9]</sup>

These incidents occurred, moreover, in advance of the extraordinary improvement that has occurred in the quality of the replica weapons available on the firearms market, and, in particular, so far as the British market is concerned, before the rapid growth of the market in 'air-soft', black-powder, CO2 or 'blank-firer' replica weapons, directed, in particular, at war games enthusiasts and at other 'sport-shooters'. For the majority of commentators in the press, however, on incidents involving use of firearms in crime, the distinctions between different types of firearms are a mystery. Public discussion has not been helped, either, by the rather generalised - not to say colloquial - fashion in which these distinctions are handled. So, for example, there is evidence of a widespread understanding that the distinction between handguns and airguns reduces straightforwardly to the issue of the capacity of a weapon to harm ('lethality'). The issue is rather more complicated than this, especially in law. The formulation of firearms legislation in Britain since the foundational Firearms Act of 1968 has been organized according to three principles, running in parallel but not necessarily exhibiting an identical logic (for example, in terms of lethality):<sup>[10]</sup>

*Firstly*, in terms of the *a priori* identification of certain weapons as 'prohibited weapons' - all of which require special authority from the Home Office before ownership is in any way legal. A prime examples of a 'prohibited weapon' would be any automatic weapon - that is 'any weapon that is so designed or adapted that two or more missiles can be successfully discharged without repeated pressure on the trigger' (Firearms Act 1968 Section 5(1)a).

*Secondly*, the progressive addition to this list of other weaponry, specifically firearms which have been brought to public attention through being used in the two 'spree-killing' incidents at Hungerford in 1987 and Dunblane in 1996. Hungerford resulted in the addition of a variety of semi-automatic weapons to the list of prohibited Weapons, and Dunblane resulted in the ban on the private ownership of handguns.

*Thirdly*, the articulation of a distinct set of rules for so-called 'Section 1' firearms under the Firearms Act of 1968. 'Section 1 firearms', which also require prospective owners to obtain a firearms certificate, include:

- a) 'air rifles or air guns capable of discharging a missile so that the missile has, on discharge from the muzzle, kinetic energy exceeding 12 ft. lb.
- b) 'an air pistol discharging a missile as above with a kinetic energy exceeding 6 ft-lb.' (Sandys-Winsch, 1999: 25)

Many of the different air pistols and handguns currently on the market in Britain are capable of firing a variety of projectiles (from small ball-bearings, plastic balls, black powder or simply 'outbursts' of CO<sub>2</sub> - but - because they do not discharge at either 12 ft./lb. In the case of air rifles or 6 ft./lb in the case of air pistols - they are not classified as Section 1 firearms, and they can be legally sold to anyone over the age of 17.

The development of these different types of air pistols has been attributed within the gun trade to the demand raised within police forces themselves for 'weaponry' that can be used by police officers during training without risk of serious injury. So also, according to some commentators, is the development of some types of airgun to be understood to their use in some new kinds of leisure sports like 'paintball games', currently very popular in Japan <sup>[11]</sup>. Discussions about firearms law in Britain, as currently constituted, still very often carry forward the assumption that there is an orderly relationship between the list of weaponry defined as being 'prohibited' or, alternatively, categorised as 'Section 1' firearms and lethality, but the concern in many quarters is that fast changing technology is allowing for the modification of many weapons which might have first been sold purely as leisure-sport style air pistols. <sup>[12]</sup>

Replica weapons are available to citizens of the United Kingdom in several different ways. They can be purchased directly from sports goods stores, gunsmiths or from Army and Navy-style market stalls <sup>[13]</sup>. They are also on sale in stores dedicated to the pursuit of War Game equipment and clothing. One of the most significant marketplaces in the country is the mail order advertisements that appear in gun magazines - most usually, in **Target Sports** <sup>[14]</sup> or **Gun Mart** <sup>[15]</sup> - every month. Finally, they can obtain from suppliers who advertise over the Internet. <sup>[16]</sup>

The replica weapons on sale through magazines will usually be advertised simply as 'soft air' guns, BB guns, 'blankfirers' or as black powder guns: there are actually few specific references in these magazine advertisements to these weapons as direct copies of 'the real thing'. Page after page of pictures of replica weapons will be carried, simply identifying the model number of individual weapons for sale <sup>[17]</sup>, and the term 'replica' itself is uncommon, even in **Gun Mart's** eighteen-page section on 'airsoft and replicas' in July 2000. <sup>[18]</sup>

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### 3. Sales of Weaponry through Gun Magazines

Our analysis of the advertisements in **Target Sports** and **Gun Mart** identifies some 250 gun traders per issue, respectively, making active use of these particular outlets for publicising the weaponry which they have on sale. <sup>[19]</sup> Scrutiny of the advertising carried by these various gun trade outlets identifies a minimum of 22 different 'brand names' <sup>[20]</sup> for different kinds of airsoft and other 'replica' weapons as being on sale. In the June 2000 issue of **Gun Mart**, we identified advertisements for a total of 1,790 pistols, rifles and shotguns of different descriptions, a further 248 'de-activated' weapons of different origins and descriptions, and fully 1,061 individual air weapons, including large numbers

of the newly-produced replica weapons identified above. On this count, some 29 per cent of all weapons on sale through **Gun Mart** were air-weapons, a significant proportion of which would fall into the category of replica weaponry. In the equivalent issue of **Target Sports**, where some 32 dealers were advertising, some 88 of the 1,790 weapons for sale were identifiable as air-weaponry, alongside fully 409 other different kinds of rifle, and 76 other weapons.

**Table One: Replica Firearms Identified by Name on Sale in UK Gun Magazines**

Beretta
Brocock
Bruni
Colt
Crosman
Gamo
Glock
Kalashnikov
Kimar
Marui
Mateba
Remington
RWS
Springfield
W.A. Stehr
Uberti
Umarex
Vatro
Uberti
Walther
Zabala

Of these 22 brands, only one - Brocock - is associated with a company registered for purposes of payment of VAT. at Companies House in the UK<sup>[21]</sup>, though it is important to note that some of the replicas on sale may be copies of models produced by Smith and Wesson, the American firearms giant which is currently headquartered in the United Kingdom.<sup>[22]</sup> Many of the brand names - for example, the Beretta,<sup>[23]</sup> Glock,<sup>[24]</sup> Kalashnikov,<sup>[25]</sup> Makarov,<sup>[26]</sup> and Uberti<sup>[27]</sup> - seen in the advertising of soft air weapons derive directly from long-established and famous firearms manufacturers, but our own research suggest that the vast bulk of the replica firearms on sale in the UK are produced - presumably on a subcontract basis - by Maui in Japan and France<sup>[28]</sup> and then marketed on an exclusive licenses through Sports marketing, a `sports, leisure and firearms goods' distribution agency based in Colchester.

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#### 4. The Impact of the Replica Market

There are several different concerns about the impact of this explosive growth of 'replica weaponry' :

- i. Most obviously, there is concern that such replica weaponry can be put to a variety of different uses, not least for criminal purposes, *precisely because of their increasingly close resemblance to real firearms*. Research conducted into armed robberies in London in the early 1990s also constitutes *prima facie* evidence of imitation firearms, and air weapons, performing an important role in these kinds of criminal confrontations.<sup>[29]</sup> The underlying issue in the first years of the new century is whether the increase in the availability of such increasingly 'life-like' weapons on the open market significantly increases the probability of their use in criminal incidents and, indeed, whether it may play a contributory role in increasing the numbers of such incidents. From a law-enforcement perspective, of course - as the 'Cowboy' Dixon incident dramatically underlines - the challenge posed involves effective management of responses to a variety of different criminal or public order situations in which firearms have been reported to be present, without any clear and final knowledge as to the authenticity of the weaponry in the hands of suspect individuals or groups.
- ii. There is also a concern, already voiced in British press, that many replica weapons, especially those which are capable of firing pellets or ball bearings ('BB guns') are being specifically marketed to children and young people *as if they were toys*. The concern is that these weapons may then be put to something less than 'playful' use, in a 'thoughtless' fashion by the young and 'immature' or - cf. legislative action on knives 1996 because of irresponsible supervision by parents. In August this year, the *Sunday Mirror* reported that there had in recent months been 'dozens of reports of BB shots being fired at pedestrians, motorists and animals', though in the inquiries conducted in toy shops which had BB guns on sale, the reporter was told that these items were not for sale to under-16s.<sup>[30]</sup> The tendency in public discussion of the abuse of imitation firearms by children is for the debate to slide, rather quickly, into territories which are very familiar in the popular press - that is, into discussion of feckless parents or under-socialized offspring of the 'dangerous classes'.
- iii. A third, rather distinct, concern about the increasing prevalence of replica and imitation weaponry, however, is to understand the emergence of this new consumer item as a part of the larger strategies of the firearms industry itself.

We want to advance discussion of each of these three concerns, especially as they have an impact in Britain, firstly, through reporting a small scale pilot study, conducted in Durham in August-September 2000 with different sections of the public into their ability to distinguish between authentic and replica models of the same firearm, and, secondly, and through discussion of the evidence available as to some recent developments in the commercial strategies of the gun trade.

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## 5. The Durham Consultations on Replica Firearms

Four consultations with members of the public were held - in three instances in a Common Room in the University of Durham and, in a third instance, in a conference room at the National Police Training Centre, Durham City. Each consultation involved Professor Taylor outlining the purposes of the exercise, Mr Hornsby acting an organiser and scorer, and P C Barber of Durham County Police as the guardian and presenter of six pairs of firearms. <sup>[31]</sup>

After introduction and explanation, matched pairs were shown of the following five weapons (one in each hand of P C Barber, who brought the weapons from behind a screen at the request of Professor Taylor). (At all times the weapons was under the care of P C Barber behind the screen, and every care was taken to safeguard personal security: none of the real weapons, of course, were loaded ). A label attached to each of P C Barber's hands identified the firearm as firearm A or B. The six pairs of firearms<sup>[32]</sup> on display were:

- a. Sig. Sauer P228
- b. Smith & Wesson Model 4506
- c. Colt 1911 A1
- d. CZ Model 75
- e. Riger RP100
- f. Beretta 92F

Members of each consultation group were handed a score sheet which they ticked to indicate which of the matched weapons were replicas or real. The first showing of the guns was for a period of between 5 and 10 seconds, and then the score sheet were handed in. A second display of the weapons lasted 30 seconds on each occasions, and participants were asked to return a separate scoring for this second showing of the weaponry. The obvious concern was to see if any really significant changes resulted from the more extended viewing of the weaponry. On several occasions, we were at pains to indicate that participants were not involved in a competitive exercise.

The composition and scores of each consultation group are shown below. Note that in all cases, the total maximum points scored is for the group as a whole. Each correct firearm identification counted for 3 points.

### **Focus Group One: Employees of Financial Institutions (19 August 2000)**

<b>Group Composition</b>	<b>Round One</b>	<b>Round Two</b>
Five Women aged 31,34,	Total points scored out of	Total points scored out of

35,46 and 55	possible maximum 42	possible maximum 42
Two men aged 22 and 50	<b>Score 21</b>	<b>Score 24</b>

**Focus Group Two: University Students (19 September 2000)**

<b>Group Composition</b>	<b>Score Round One</b>	<b>Score Round Two</b>
Four 21 year old females; One 22 year old; Three males aged 20,21,23b	Total points scored out of possible maximum 42  <b>Score 21</b>	Total points scored out of possible maximum 42  <b>Score 24</b>

**Group Three: Police Officers in Training (19 September 2000)**

<b>Group Composition</b>	<b>Round One</b>	<b>Round Two</b>
One female aged 19; six males aged 20,23,23,24,26,36	Total points scored out of a possible maximum 42  <b>Score 33</b>	Total points scored out of a possible maximum 42  <b>Score 31</b>

**Group Four: Retail Staff (Off-License)**

<b>Group Composition</b>	<b>Round One</b>	<b>Round Two</b>
One female aged 31 One male aged 30	Points scored out of a possible maximum 18  <b>Score 9</b>	Total points scored out of a possible maximum 18  <b>Score 10</b>

The most obvious (and probably unsurprising) feature of these scores, taken as a whole, is how little they differ from the mean, the score which might have been expected in the population at large - that is to say from a score of 50 per cent.

In the case of the employees of the financial institutions, where we had seven respondents, a mean score of 21 was to be expected, and this was the score achieved on the first peremptory examination of the two weapons displayed. On the second, more extended run-through, employees of financial institutions scored 24, something of an improvement (a score equivalent to 57 % for the group as a whole).

Some readers of this Report might be reassured to discover the relatively high number of police officers in training who were able to distinguish replica guns from authentic weapons, though they might be puzzled to know why police officer's scores actually declined in accuracy between the first and second rounds (from 33 [79%] to 32 [72%]).

Both our 'student group' and the couple representing the retail sector in Durham were very close to the mean on the first round (scoring 21), the later showing a slight improvement on the second. The student group scored 27 (64%) on the second round.

Overwhelmingly, the consultations we conducted in Durham underline how very difficult it would be for most sections of the population in Britain to distinguish reliably between a real and replica handgun or pistol, of the kinds used in our investigations. Seasoned armoury and firearms officers working in three different police forces in England and Wales have commented to us, during our investigations, on the extraordinary advances that have been made in the design and manufacture of replica firearms. There simply is no comparison in quality, or appearance between the replica firearms available 'on the open market' in Britain in the first years of the millennium and the kinds of toy pistols which were on sale in toy shops in Britain for most of the last fifty years.

It bears saying here that the advice being circulated to staff working behind the counters of most of Britain's financial service institutions, as well as to staff working for national petrol chains, is always to assume that any firearm that is produced in what appears to be a 'hold up' *is* real. So also in training, even when this may contribute, as it has in several recent cases in Britain, to police use of firearms either in 'self-defence' or in what is thought to be retaliation.

The question that is starkly posed, in such circumstances, is whether or not we should recognise some other purpose for the manufacture and marketing of such replica firearms, in the full knowledge on the part of their manufacturers and salespeople, that they will almost certainly be mistaken for 'the real thing'. What lies behind this new significant market in replica firearms? Why would people want to own them?

The discussions held in Durham regarding the emergent market in replica firearms in Britain had several distinctive features.

There was, first of all, a noticeable level of astonishment at the very existence and the sheer size of the market. Several discussants indicates that whilst they were aware of a problem with handguns in the late 1990's - so tragically highlighted at Dunblane - they had formed the impression that 'the firearms problem' generally had been dealt with in ensuing legislation. The manager of the Wine Cellar in Durham found it '... strange that you have banned firearms - but then why are *these* legal?' Perhaps guilty of showing wisdom after the event, one building society employee wondered why there had been no specific initiative within the 1997 legislation to require that replica firearms (sic) should carry some clear marking, or other features, to distinguish it from a real firearm.<sup>[33]</sup> A bank employee wondered whether the new market in replicas could not be critically audited through the workings of the Trades Description Act. Moreover, as another Wine Cellar employee indicated, there seemed now to be quite an anomalous situation in respect of firearms law in Britain, in the aftermath of the passage of the 1997 Act - specifically, that no real distinction is now made in law between replica weapons (which might in nearly every respect be indistinguishable from the real firearm on which they were modelled) and plastic or chrome 'cap guns' on sale directly to children in toy stores.

Asked, secondly, as how they might explain the apparent growth of the replica weapons market, the responses of individuals in discussion ranged from comments about the interests of the gun trade itself (what we might call 'supply factors') to different sets of comments about the motivations or curiosities of the consumers themselves ('demand factors').<sup>[34]</sup> The Durham Wine Cellar staff were particularly sensitive to the scale of the market:

"They must cost a fair amount of money to manufacture these, even if they are replicas..."

Along with other discussants, however, this same respondent registered complete astonishment at the cheapness of the replicas on display. And he continued, presumably drawing on his own experience

"... I'm reminded of five years ago when soft alcoholic drinks started coming out. Young men aged 17-18 sat drinking a fizzy sugar drink in a bar, which would have been ridiculous in certain cultures."

The interesting issue for this discussion was how the advertising works *to create* an interest or develop an existing one, given the out-of-the-way location of gun magazines and their advertising on the top shelves of local branches of W H Smith or other newsagents.

Thirdly, respondents were asked directly what different motivations they thought might encourage people to buy replicas. The most frequently mentioned rationale for private consumers was that of the collector, for which the ever improving attention to detail in replica firearms was thought to be definitive. One police officer in training thought that replicas were aimed, in particular, at "gun collectors who can't afford the real thing". Other respondents, however, were firmly of the view that anyone wanting that level of detail -like the fake Proof House markings apparent on the Smith and Wesson on display - would surely be much more attracted to 'the real thing' or, failing that, absolutely pristine accurate models of famous firearms which had now been deactivated. Respondents in this instance appeared to have paid attention to the advertisements for particular weapons associated with the American Civil War, the First World War or for weapons used by the Nazis or the Red army during the Second World War which are displayed in a specimen brochure for replica weaponry made available to the discussion groups.<sup>[35]</sup> Other discussants wondered, with scepticism, about the size of the market for replicas associated with war games (very insignificant indeed, according to the Durham County firearms officer), dramatic performance and films. The different niche markets for replicas might also extend, according to one Durham Wine Cellar employee, by a generalized "fascination with small weapons" which might have been encouraged in Britain by the Dunblane massacre. There were also occasional references, especially among police officers in training, to the now quite well-established refrain that the wearing of firearms had become, for some young people, a kind of 'fashion accessory'. This particular refrain now has a lengthy history in Britain, going back to the panics about firearms use in crime in Liverpool and Manchester in the early 1990's.<sup>[36]</sup>

Fourthly, whatever the mix of motivations, they thought might underlay the increased ownership of replica and air weapons, our discussants were almost unanimous about the danger they represent. Students spoke most readily of the 'traumas' that must be experienced by anyone who has these weapons, however inauthentic they were in reality, directed at them. "Even if you're told afterwards that they're not the real thing .... You will never get over that original experience." One of the police officers in training spoke not of trauma but more directly, of the issue of fear - "no doubt the effect desired by the person using the gun". Several Police officers moved discussion at this point directly onto the dangers that increased prevalence of replica firearms in crime might contribute to further demands for the arming of the police.<sup>[37]</sup> Several officers expressed the anxiety that the continuing growth of the replica market might exacerbate the problems the police have been having in recruiting and retaining staff.<sup>[38]</sup> Even the student group - the least

likely to be victims of any form of firearm crime - worried that "the bigger the market place, the greater the range of dangers."

No formal voting was anticipated or organised in the four focus groups as to the views of each group about the need for new legislation to ban replica weapons, but the group of staff working in the financial institutions did spontaneously vote 6-1 for their outright ban. In each discussion session, desires were expressed for further information about the scale of the replica market (not least, to challenge the view, to which most discussants had adhered to before their experience in these sessions that the firearms issue in Britain had finally been resolved in the 1997 Act).

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## **6. Responding to a Challenge: Recent Developments in the Gun Trade**

Tom Diaz, erstwhile Democratic Counsel to the US House of Representatives' Crime Subcommittee, in the first in-depth analysis of the firearms manufacturing industry in the United States, shows how that industry has rebounded from what was seen, only twenty years ago, to be a bleak future in terms both of sales and profits. He points out, first, how the firearms makers have always had to work hard to avoid saturation of the market: the firearm as a consumer item has no in-built obsolescence ('it doesn't wear out'), and there is no guaranteed source of demand for new firearms from one generation of consumers to another. In 1984, the handgun market, in particular, was so 'saturated' that most discount chains had pulled out of sales of handguns altogether, due to falling profits and poor profit margins (Diaz, 1999: 91-92). In addition, sales of shotguns and rifles were threatened because 'fewer and fewer young people were growing up into the 'traditional' hunting and shooting markets' (op.cit: 92). A Justice Department survey of 1994 found that 'one of the best predictors of gun ownership was the presence of firearms in the respondent's childhood home' <sup>[39]</sup> The concerns felt amongst senior executives of major American firearms manufacturers, like Glock, Smith and Wesson or Storm Ruger - that the historic demand for firearms of any kind might never be 'reproduced' - intensified through the 1980s and early 1990s. In the 1990s, many of the US's major retail chains - K-Mart, Wal-Mart and Target - decided that the sale of firearms was a significant blow to their public image, and began to pull out of firearms sales altogether.

The firearms industry in America - like so many other American commercial institutions - is nothing if dynamic. The steady decline of traditional firearms-purchasing markets in the United States has been approached as a challenge and an opportunity, as well as a threat. Faced by challenges in the long-established markets, the firearms manufacturers and the gun traders have set about the challenge of creating new markets. Most famously, of course, the manufacturers have engaged in sustained campaigns to interest women in purchasing firearms, marketed particularly with respect to self-defence. In close collaboration with organizations like the National Rifle Association, the firearms manufacturers have mounted nationwide campaigns to persuade Americans of the benefits of owning firearms in the home (again, for purposes of self-defence or 'defence of the family') but also in favour of the right to carry concealed weapons about the person

in public space (campaigns which have indeed borne fruit in large numbers of American states). In addition, firearms-manufacturers and the gun trade have set about a campaign of persuasion with respect to the law enforcement community itself - encouraging individual police departments of the need for their officers to carry new weapons with a greater 'stopping-power' (in order that they can withstand the threats on the street which the firearms-manufacturers' advertisements in police magazines claim they increasingly confront). The purchase of increasingly powerful weaponry by the police has encouraged a response on the part of other existing gun-owners, and a process which Tom Diaz calls 'a spiral of lethality' has ensued. Most famously of all, in the early 1990s, the streets of America, especially in the inner-city and ghetto areas, were increasingly witness to the impact of the 9 mm. 'Saturday-night special' - cheaply-made, pocket-sized pistols newly marketed in their thousands by American gun manufacturers, especially by smaller manufacturers from California. The 'Saturday-night special' in and of itself was not a major profit-making item for the trade (it often sold for less than \$50) but it *was* seen as a *market*, with a potential to grow, as well as being a way of *introducing thousands and millions of new consumers* to the pleasures of ownership of other weaponry.

The explosive growth in the numbers of 'Saturday-night specials' for sale in the open market-place is one of the more graphic expressions of the vigorous response of the American gun-makers to the threat of saturation in their traditional markets. But, as Diaz recognizes but does not investigate in detail, firearms-manufacturers have also followed the examples of many other single-product manufacturers and diversified - both 'vertically' and 'horizontally' - into adjacent markets. There has been a significant diversification, for example, into sporting and country-style apparel, closely tied into the use of firearms. There has been a significant growth of the market in accessories for the firearms-user, from binocular sights to gun safes. Most importantly, for our purposes in this report, there has been a very significant development of interest on the part of firearms-manufacturers in more sophisticated air weapons with a higher quality of design - including, as we have already discussed in this report, airguns (or blank-firers) that are direct copies of well-known or 'classic' handguns and shotguns. These new weapons all have the distinct advantage to the firearms-manufacturer of opening out new markets amongst the young (with the potential consequences for their adult years). They also may also feed into the collecting urge which seems to be a critical dimension of firearms-ownership amongst many men, both in North America and in Europe. At a time when the gun trade is having to deal with a variety of legal challenges in different American states, or in different countries, the market in air weaponry or blank-firers has the distinct advantage of being a steady market whose legality is currently under no challenge anywhere in the world. Given the secrecy that surrounds the firearms-manufacturing in the United States,<sup>[40]</sup> it is difficult to put any dates on the movement made into the airguns trade. It seems clear, however, that the shift into production of air weapons and blank-firers, and the production (often under sub-contract to other manufacturing interests) of replicas was well under way by the mid-1990s.

In Britain the passage of the Firearms (Amendment) Act in 1997 resulted in the removal of some 162,000 handguns from the private collection of gun owners.<sup>[41]</sup> To our knowledge, there has been no formal evaluation of this legislation conducted by the

Home Office, or sub-contracted out to an independent agency. The annual *Firearm Certificate Statistics* suggest that, subsequent to the passage of the Firearms (Amendment) Act in 1997, there were two year-on-year reductions in the number of firearm certificates on issue - by some six per cent between 1996 and 1997, and by a further one per cent between 1997 and 1998. Some 131,900 firearm certificates were on issue in England and Wales in 1998, covering 295,100 firearms (itself a reduction of 3 per cent on 1997, after a reported decline of fully 27 per cent between 1997 and 1997) (Wilkins and Addicott, 1998, 1999). The number of shotgun certificates on issue, in the meantime, actually increased (albeit by only one per cent) between 1997 to 1998 (to a total of 627,600), reversing a downward trend that had been in progress since 1988 (Wilkins and Addicott, 1999: 7). At the end of 1998, certificates in force covered some 1,343,400 shotguns across England and Wales (Ibid.).

**Table 2. United Kingdom: Imports of Air-Guns, Gas Guns & Pistols**

(Millions of US Dollars)

<b>Country</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>
Germany	1,620	2,610	3,127
USA	2,083	1,752	2,133
Sweden		938	1,256
	77		
Spain	190	288	982
Japan	251		408
		342	
France			357
	169	336	
<b>World</b>	<b>4,860</b>	<b>6,921</b>	<b>9,344</b>

Source: World Trade Atlas UK (on figure supplied by HM Customs and Excise) (Trade Partners UK Information Centre, Export Market Information Research Service, Department of Trade and Industry).

**Table 3. Imports of Sports Shotguns and Rifles (Millions of US dollars)**

<b>Country</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>
Italy	6,523	6,203	6,343
USA	5,631	4,924	3,159
Japan	64	213	2,924
<b>World</b>	<b>21,931</b>	<b>24,183</b>	<b>20,771</b>

Source: as for Table 2

On these figures, the value of imports of air weapons (as defined by the DTI's own classification system) increased by some 52 per cent between 1997 and 1999. Firearms-manufacturers based in Germany, the United States, Sweden and Spain commanded about 76 per cent of this UK market. The increase in the size of this market has to some extent offset the decline in the value, specifically, of the sport shotguns and rifle markets that is reported to have occurred over the same period - recorded as a reduction of \$12 million (4.3 %).

On the evidence of the World Trade Atlas figures, Britain itself is not an insignificant player in the *export* of firearms. In 1999, for example, the evidence suggests that Britain exported some \$23 million worth of sport shotguns and rifles into the international market (some 57 per cent of which went to the United States) and a further \$4 million worth of air weapons and gas guns (some 51 per cent of which went to the United States). Exports of sport shotguns and rifles represented a rising market (up 6 per cent from 1998 to 1999) whilst the export of air weaponry seemed to be in decline (down 24 per cent on 1998). The value of imported weaponry brought into Britain, in fact, exceeded the value of weaponry exported only by \$2 million. The evidence presented by recent trade figures is of a lively import *and* export market, in which particular manufacturers (by no means exclusively in the USA) have extremely well established positions (cf. Beretta in Italy and Storm, Ruger in Germany). However there is evidence that air weapons manufacturers based in different parts of the world have been able to take full advantage of the 1997 legislation in Britain through aggressive marketing of alternative products to their existing customer base.

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## 7. Challenges to the Replica Market

In the absence of serious research conducted with the co-operation of manufacturers of replica weapons, or from the established arms manufacturers themselves, it is difficult to date the emergence of the new market in replicas or to give precise longitudinal information as to the development of this particular market. Concern was being expressed about replica firearms in Britain in the pages of the *Police Review* in the late 1980's (Fry 1989, 1991). The author of these two investigative essays, Chief Inspector Colin Fry, provided evidence of a significant increase in replicas and other weapons capable of firing blanks. He argued that the government needed to consider whether people should be required to acquire a license for any such weaponry and whether a minimum age for their possession should be introduced (Fry 1991).

Concern about the increasing prevalence of the use of replica firearms and/or air weapons in crime has been voiced since the early 1990's by spokesmen for police forces in different societies. The Canadian Association of Chiefs of Police first pointed to the issue almost ten years ago, and called for replica guns to be classified as prohibited weapons within the purview of the Federal gun control legislation, eventually enacted in 1997. In April 2000, however, the Chief of the Ottawa-Carleton Police Service, Mr. Brian Ford,

reported that "fake guns" (including starter pistols and pellet guns) were being discovered in robberies as frequently as real handguns.<sup>[42]</sup> There were also reports of starter pistols being modified in order to take live ammunition.<sup>[43]</sup> Support for the inclusion of 'fake' or 'toy' guns within Federal gun control legislation in Canada is widespread amongst law enforcement authorities and municipal councils throughout the country. In September 2000 the Province of Ontario announced its intention - as a matter of urgency - to introduce a bill to prohibit anyone under 18 years from buying 'fake guns that look authentic' (whether toys, pellet, BB or starter's guns). The Province of Alberta has indicated that it will not follow Ontario's example,<sup>[44]</sup> and currently it looks as if the future of the gun control regime in Canada may depend on the outcome of the General Election, recently called for November 2000.

Calls for adding replica weapons to the roster of prohibited weapons will run up against a series of predictable responses. Not least will be the argument that such an extended ban will provide the conditions conducive to another 'black market' - in this instance, in replicas - or, alternatively, that they will provide a further fillip to *existing* black markets (in lethal-looking airguns or other replica weaponry that can be used by 'villains' to threaten and/or enforce an argument).<sup>[45]</sup> So also will opponents of further regulation argue that such a prohibitionist initiative will run up against the reality of "consumer sovereignty" in market society - the widespread elevation of the consumer as a free-willed, responsible adult, whose rights should be rarely subject to any infringement.<sup>[46]</sup> It may be that the public debate over the desirability of further regulation (and, indeed, of outright ban) will depend not on an abstract adjudication of the 'moral polemics' advanced by advocates of regulation vis-à-vis those of libertarian ethics, but on specific incidents 'on the street' which dramatise the 'costs' and 'benefits' of action or inaction in the public's mind, especially in the context of increasing innovation by the gun trade itself.

Set against these arguments in 'the public terrain', however, will be the arguments we have already touched on in this report - namely, the danger that the unregulated market in replica firearms poses for police in a variety of public order situations, the danger and threats posed to the staff of banks and other financial institutions and also the staff working in a variety of retail outlets (late night petrol stations, etc.), not to mention the contribution which this new market in offensive weapons makes to the generalised and widely reported sense of public space and a place of insecurity and fear.

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## **Appendix One**

### **Some Selected Reports on "Air Gun" or "Replica " Incidents**

#### **UK National and Local Press August- October 2000**

**4 August 2000 The Guardian. More New York than Slough as Gunmen Spring Prisoners.** Gunmen disguised as security guards burst into a crowded magistrates' court in Berkshire, yesterday, firing several shots into the ceiling, coshed a police officer, and then fled with two prisoners who had been brought up from the cells charged with burglary offences.

**4 August 2000 [Sheffield] Morning Telegraph.** Sheffield Mainline bus driver shot with a ball-bearing gun whilst driving on Queen Street, Sheffield.

**10 August 2000 c-j-s-forum@mailbase.ac.uk.** Two imitation handguns have been found at Wakefield Prison, Yorkshire. The first was a fake made to resemble a starter pistol, the second an imitation handgun made out of wood and plastic piping.

**23 August 2000 The [Sheffield] Star.** 24 year old blinded in one eye whilst being shot and robbed on the Manor Estate, Sheffield.

**25 August 2000 Yorkshire Evening Post.** 30 year old shot dead by police marksman in grounds of a Wakefield, West Yorkshire hospital, after threatening police in two locations with what appeared to be a semi-automatic rifle.

**27 September 2000 The [Sheffield] Star.** Two police officers were pistol-whipped as they tried to arrest a man carrying what appeared to be a firearm. Later examination of recovered weapon revealed it to be a 'blank-firer'.

**27 September 2000 [Sheffield] Morning Telegraph** . Drunken student waved replica revolver in the air before being overpowered.

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[1] We are well aware, of course, that the salience of replica weapons as a local issue may vary across different police force areas. In some larger, metropolitan forces, the local focus of attention is more likely to be on real weapons, which may be more readily available in these areas.

[2] The Post Office in Durham offered its support but was unable to release staff on the evening when we were consulting with financial institutions. There were representatives at this consultation from the Durham branches of Barclays Bank plc., HSBC, Lloyds TSB, Natwest and the Cheltenham and Gloucester Building Society.

[3] We would like to acknowledge the assistance of Chief Inspector Garry Shaw of the NPTC in arranging this consultation.

[4] Attendance at this consultation was disappointing. Six representatives of the local retail trade - all of whom had promised their attendance earlier that afternoon, - did not appear at the sessions.

[5] Very sharp increases were reported in the use of handguns in robberies in England and Wales between 1988 and 1992 - from 1,400 incidents to over 3,600 (Matthews 1996, Figure 2). For extended discussion of public debates over

firearms crime in Britain at around the time of the Cullen Enquiry, see Taylor 1997

[6] Home Office Statistical Bulletin 22/99 (*Firearm Certificate Statistics*, 26 Nov. 1999, Table 10).

[7] The gap in this scholarly literature will shortly be filled in by Squires 2000.

[8] Matthews' study of armed robberies committed in the Metropolitan Police District three years later, in 1993, confirms that a weapon was seen in about 75 per cent of cases. In all others, it was 'implied' (Matthews, 1996: 15).

[9] *Guardian* 28 December 1994.

[10] This brief discussion of the history of the firearms regulatory regime in Britain since 1968 draws in part on the Sixth edition of Sandys-Winsch's *Gun Law in England in Wales* (published in 1999 to take into account the changes introduced by the Firearms Act of 1997). More detailed understanding of the workings of the certification system, through which individuals apply for ownership of firearms, is provided in Lord Cullen's Enquiry into the Dunblane disaster (Cullen 1996).

[11] 'What is Air Soft all about ?' <http://www.ontiap.com>

[12] A recent development here is the chromascope, the result of experimentation by a solitary gunsmith in Cornwall, which apparently has the capacity of increasing the muzzle capacity of many air guns (John Steed, Armoury Officer, Staffordshire Police, personal communication).

[13] Enquiries we undertook into firearms and militaria fairs held in the North of England in the summer of 2000 (the York Arms, Medals and Militaria fair in June and the Nottingham Arms and Armour Fair and the Leeds Arms, Medal and Militaria Fair in July) did not suggest that the open marketing of 'look-alike' airguns and handguns is significant in that particular firearms market place

[14] **Target Sports** is published monthly, in association with the Shooting Sports Trust, in Droitwich, Worcestershire.

[15] **Gun Mart** is published monthly by Aceville Magazines Ltd in Colchester, Essex.

[16] According to one journalistic investigation in the US, in July 2000, there were some 4,000 sites on the internet devoted to gun sales, including 80 auction sites. Gun control organizations in the USA have argued that the owners of these 'secondary market' outlets are under far less obligation than regular gun dealers, for example, in respect of the demand for background checks or potential purchasers. E. Moscoso 'Activists aim sights at Web gunsights', **Palm Beach Post** 5 July 2000, posted on [gun-policy-news@igc.topica.com](mailto:gun-policy-news@igc.topica.com)

- [17] Two exceptions in the June 2000 issue of **Gun Mart** are two advertisements from Pownalls's of Great Yarmouth for a Makarov MP-654K CO2 pistol, which is proclaimed to be 'almost identical' to the Russian 9 mm. service pistol' (p. 82) and for a Glock 17 8 mm. 'blank firer' which is clearly described as 'a most impressive, field strippable, heavy weight *copy* of the famous handgun in steel and ABS polymer' (p.165). (Our emphasis.)
- [18] The only advertisement in the June and July issues of **Gun Mart** which specifies that the products are on sale as 'replica weaponry' is the full-page spread from Stringtown Supplies of Polegate, East Sussex.
- [19] If the size of the advertisements placed in these magazines is any guide, some five of these gun trade outlets are much more significant players than others. The Sportsmen's Gun Centre, Paignton (19 pages), Jean's Military Memories of Great Harwood, Lancashire (5 pages), Budget Guns and Tackle, Colchester (4 pages), York Guns (4 pages), and Henry Krank, Pudsey, Leeds (3 pages).
- [20] We shall see later that it is important to understand that the existence of a 'brand name' in the marketplace does not identify a manufacturer of the same name active in the production of these weapons.
- [21] Brocock is a firearms manufacturing company founded in 1989 by Garry and Nigel Silcock, and now claims on its website to be 'one of the largest manufacturers and distributors of air-guns, CO2 guns, blank firers and ancillary products in the UK'. It is based in Digbeth, Birmingham.
- [22] Smith and Wesson was purchased in 1987 from Forstmann Little and Co., who had themselves taken over Smith and Wesson in 1986, by Tomkins plc of London. ([www.smith-wesson.com/misc/story.html](http://www.smith-wesson.com/misc/story.html)). Tomkins plc have spearheaded Smith and Wesson's campaigning of developing more compact, high-powered handgun models for use by American law enforcement agencies - so making a direct contribution to what Diaz (1999) calls 'the spiral of lethality' that has taken place over the last 15-20 years between police and armed citizens on American streets.
- [23] The Beretta Company was established in Venice, according to its website, in 1526. It now produces some 1,500 firearms a day, with large sales to law enforcement agencies (like the French Gendarmerie and the US Border Guard, who have recently adopted the Model 96 Brigadier D) and military organizations (like the US Air Force (who have recently adopted the Beretta 92 Semi-automatic).
- [24] The Glockmeister company, headquartered in Mesa, Arizona, is one of the largest mail order gun businesses in the United States.
- [25] The Kalashnikov enterprise in Russia, named after the inventor of the AK-47 machine gun, now trades on the world market as a private firm called Transfer

Ltd. According to Gonchar and Lock (1995: 120-1), transfer Ltd. order book for 1993 suggested potential exports of 1 million weapons outstanding worldwide.

- [26] Makarov pistols were first developed in the last years of the Second World War in the Soviet Union, but different versions of the pistol went into peacetime production in Russia in 1951, with other versions being produced in Bulgaria, China and East Germany. The main Russian production company (Baikal) continues production at the Tula Ammunitions Factory, and Bulgarian and Chinese versions are still in production.. The American branch-plant of Baikal (Makarov.com) is an affiliate of the NRA's Business Alliance and prominently carries the Alliance's slogan 'Partners in Freedom'.
- [27] The Uberti company was founded by Aldo Uberti in Gardone, Italy in 1959, as a manufacturer of reproduction historical arms. Its US branch plant is based in Lakeville, Connecticut, and the advertisements placed in magazines and on the internet emphasize its special standing as a manufacturer of historical reproduction firearms.
- [28] According to its website (dated 2000), the Les Trois Pylones company based in Grigny made a net operating profit of 8,340,127 francs in the previous financial year
- [29] Our own scrutiny of the national and local press for a four month period in 2000 identified a series of other incidents in which replica weapons were being put to serious criminal use.
- [30] Claire Donnelly 'Lethal Weapon: the Gun that's on Sale as a Toy' *Sunday Mirror* 6 August 2000.
- [31] Not least of our concerns, especially in our consultations with members of the public working as a staff member in the retail sector and/or in banks or building societies, was to emphasise the very low level of risk involved in being a victim of a firearm crime in County Durham. We reminded discussants that in 1999-2000, the Force's Armed Response Vehicles attended a total of 81 - a very low total in comparison to most police forces in Britain (Durham Constabulary 1999/200:45). Statistics of this kind helped reassure our local respondents during this consultation exercise, whilst allowing us to stress the potential importance and impact of the study at the national level.
- [32] These weapons were selected from the Constabulary's own Armoury and included real weapons which had been recently recovered crime scenes at different locations in County Durham.
- [33] Some EU member states (France, Belgium) do require such distinguishing marks - or even the colouring of the replica or airgun in bright red or yellow.

- [34] As is so often the case in focus group enquiries of this kind, the discussion of the 'motivations' of the replica owner tended to a kind of generalization that would not be acceptable to most sociologists. So, for example, the motivations of the 17-25 year old young men (to whom much of the magazine advertising appears to be directed) will very likely be of a very different order than that of veterans of the Second World War (or indeed, the Falklands).
- [35] In some quarters, these kinds of militaria weapons are referred to as 're-enactor' models.
- [36] The refrain that the meaning of firearms as a fashion accessory is another way of formulating the argument, well-known to students of 'gang culture' in the US, that 'packing a gun' is one way of earning respect in neighbourhoods where respect is a cultural theme. (Sheley and Wright 1993).
- [37] In this sense, one police officer argued, the most important 'victim' of the replica firearm market might be the traumatised officer who has found himself or herself in a situation in which they had used a firearm of their own against an apparently armed 'villain' only to discover that the person only had a replica.
- [38] One police officer in training worried that the increased availability of replicas might impinge on particular neighbourhoods in particular ways - for example, if they came not the hands of 'problem families' already causing serious problems in an area. Though there was no conclusive consensus around the point, police officers, students and employees of retail outlets were likely to attribute the development of the firearms issue to the cynicism of the gun trade [Though they had little first hand knowledge of the workings of the gun trade, respondents were particularly concerned to hear about the recent appearance in California of firearms which are produced as replicas not of firearms per se, but cigarette lighters. Several of these has been uncovered by Durham Police in recent raids and were discussed by the firearms officer in his overview for each group of the firearms situation in the region.]
- [39] U.S. Department of Justice, National Institute of Justice *Guns in America: National Survey on Private ownership and Use of Firearms* (May 1997), quoted in Diaz (1999): 92.
- [40] Diaz makes the nice point that the firearms manufacturers of the United States - producers of a potentially lethal consumer product - are one of the sectors in the American economy that is most untouched by consumer protection legislation and any associated evaluation.
- [41] The National Audit Office's report on Handgun Surrender and Compensation, published in 1999 gives the figure of 162,000. The Report observes that the police had estimated prior to the surrender that 187,000 weapons would be handed in, but in the event 25,000 were handguns 'for which individual exemptions had been

granted' or handguns which had been deactivated, exported or destroyed by their owners (op.cit.:2)

- [42] A study of firearms recovered by police in five Canadian cities found that 21% of these firearms were replicas as against 20% handguns. Fully 53% were rifles or shotguns. (Department of Justice, Canada, 1997).
- [43] **Coalition for Gun Control**, Canada, Press Release 17 April 2000 'Experts Agree: Fake Guns a Threat to Public Safety'.
- [44] Ashley Geddes, 'Toy Gun Law Not Needed in Alberta', **Edmonton Journal** , 28 September 2000
- [45] This argument was voiced, for example, by Maybanks and Yardley (1992) on the basis of a thinly reported personal study of armed robberies in the Metropolitan Police area between 1988 and 1991. This study confirmed that the favoured target of armed robberies in London were small shops, and that the weapon of choice was a pistol, very frequently a replica. Arguing, as opponents of regulation very often do, that the pool of unlicensed weapons is at least as large as the pool of licensed weapons, Maybanks and Yardley then assert that a ban on replicas would provide 'no net benefit to society' (1992).
- [46] This description of the recent transformation of 'market society' is at the core, for example, of the sociological work of Zygmunt Bauman - particularly in his (1993) book, Post-Modern Ethics.



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