

FIRING LIVE AMMUNITION

A study into a number of safety risks related to
the shooting sports in the Netherlands



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Summary of:

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Met scherp schieten

Een onderzoek naar een aantal veiligheidsrisico's met betrekking tot de schietsport in Nederland

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Summary

In the past two years various organizations have conducted investigations into the tragic shooting incident in Alphen aan de Rijn in the spring of 2011. In that incident, a 24-year-old man with a license for three firearms took the lives of six people and his own. In response to the incident in Alphen aan de Rijn the Dutch Safety Board conducted a broader investigation into the safety risks associated with the shooting sports. Three topics remained underexposed in that report and this report focuses on these topics.

Our study was based on the following problem statement:

What potential safety risks can be distinguished in the shooting sports with regard to commercial interests, storage and transport of legal weapons and ammunition, and allowing shooting without a license?

For each of these topics – commercial interests, storage and transport of legal weapons and ammunition, and allowing shooting without a license – the potential safety risks, the extent of these safety risks, how to signal them and what can be done in terms of legal measures or some alternative approach have all been mapped out.

In this summary we will go through the findings. First, the research questions and research methods will be discussed. Next, the framework within which the research study was conducted will be outlined briefly. Then, the safety risks listed during the research will be covered.

Research questions and methods

This research study into potential safety risks in the shooting sports is not all comprehensive, but is limited to potential safety risks with regard to the following three topics: commercial interests, storage and transport of legal weapons and ammunition, and allowing shooting without a license. In addition to having studied relevant legislation, reports and scientific research, especially a lot of field work was done in order to answer the research questions.

This included:

- 20 interviews with stakeholders in the shooting sports, academics and Special Laws police department officers;
- Survey research among 23 Special Laws police departments, 31 arms traders and 14 shooting range owners;
- An expert meeting including 14 team managers of Special Laws police departments;
- 14 case studies at shooting centres (n=4) and shooting clubs (n=10). The case studies involved 23 interviews with shooting club committee members, operators and Special Laws police department officers;
- 15 short conversations with members of shooting clubs;
- 1 short conversation with a shooting instructor;
- 6 mystery guests visits.

Based on these sources four research questions were addressed related to commercial interests, storage and transport of legal firearms, and allowing shooting without a license. First, for each topic it was mapped out whether there were any safety risks. If so, the frequency and the context in which respondents thought these risks occurred were assessed. Third, possible measures to prevent the risks listed were addressed. The final question concerned a reflection on the findings of the study by the researchers: are the potential safety risks mentioned and the frequency with which they could occur realistic and can the proposed measures be considered realistic and effective?

An outline of the shooting sports

By mid 2012 there were about 42,000 sporting shooters and 28,000 hunters in the Netherlands, who owned approximately 167,820 weapons in total. In addition, there were 784 shooting clubs, 34 shooting ranges and more than 60 arms dealers. For keeping weapons and ammunition or for exploiting a shooting range or arms store a license is required. Private persons need a license or permit; shooting centres or arms stores need a certificate. Sporting shooters are eligible for a license after having been an aspiring member of a shooting club for one year and having completed at least eighteen shooting turns. A license is granted if a reasonable interest demands such, if there is no fear of selfharm, danger to public order or safety, and if the applicant is at least eighteen years old. This check is performed by the police. A license must be renewed every year and these criteria are then checked again. Hunters have to attend a hunting course after which they are screened by the police and are granted a permit. Both hunters and sporting shooters are allowed to possess 10,000 pieces of ammunition or primers and three kilos of nitro powder or one kilo of black powder in order to reload the ammunition for the weapons for which they have a license. Finally, they are allowed to store their weapons at home in a securely locked safe anchored to the floor or heavy in weight. Further, they are allowed to transport their wrapped up weapons,

separated from the ammunition, via the shortest possible route to the shooting range, arms store or, if necessary, to the police.

Besides sporting shooters and hunters, some people without a license or permit are also allowed to shoot with firearms under certain circumstances: guests and recreational shooters. Guests are allowed to shoot at a shooting club three times a year. For recreational shooters at a shooting centre there is no limit to the number of times they are allowed to shoot. These people do not need to be screened by the police in order to get permission to shoot. At the centre or club these people are accompanied by an authorized person who hands them the weapons and the ammunition at the shooting point and supervises them at the time of firing. Besides, these individuals are only allowed to shoot with a single shot .22 calibre firearm at most.

The police, the KNSA (Royal Netherlands Shooters Association – a union shooting clubs are obliged to join) and shooting clubs see to it that the rules and regulations are observed. The police are entitled to issue a warning to licensees or to withdraw a license when they have violated the rules. The KNSA and shooting clubs can expel members which results in the licensee losing his or her license.

In the past seven years 720 people have been expelled; they are not allowed to practise the shooting sports anymore. Despite these forms of supervision, incidents sometimes do take place within the shooting sports. The number of incidents involving legal firearms, however, is quite low: five per cent of all firearms incidents. Also, compared to the total number of legal firearms the number of incidents with legal firearms can be considered low. On average, two people a year die as a result of the use of legal weapons.

Potential safety risks

Respondents mentioned nine potential safety risks regarding the topics of ‘commercial interests’, ‘storage and transport of weapons and ammunition’ and ‘shooting without a license’. This section will list them one by one and will also cover the frequency with which they occurred and the possible solutions that were proposed to reduce or limit these risks.

Potential safety risks with regard to commercial interests

1. Dual functions of arms dealers and shooting range operators, in the sense that they are also on shooting club committees or, in addition to being arms dealers, also own a shooting centre or shooting range.

Actually, this safety risk has more to do with possible conflict of interest than with safety risks. As a result of this dual function a person might benefit from more frequent shooting, so that more ammunition is sold and as a committee member a person could positively influence their own arms trade. Moreover, this safety risk may include shooting club committee members whose interests differ from the interests of the shooting clubs themselves. This is called undesirable interference, for example for criminal purposes.

Our research showed that dual functions only seldom occurred (approximately five to ten people in the Netherlands). It needs to be said, however, that no evidence was found of demonstrable risks to safety. Undesired interference in shooting clubs committees also occurred, as was shown in a study conducted by the National Firearms Platform. In 2003 this platform investigated a total of fifty shooting clubs; it turned out that in four cases undesired interference could be established.

Tackling this problem is in fact simple, because dual functions are not allowed according to Article 8 of the model statute and the certification requirements for shooting clubs of the KNSA. The KNSA should check whether the rules are observed in this regard. Such conflict of interest is also undesirable from the point of view of the NOC-NSF (Netherlands Olympic Committee - Netherlands Sports Federation) Code of Good Governance in Sport. Some respondents suggested to forbid dual functions by law, and to include this in the rules and regulations of shooting clubs. Other respondents suggested local screenings should be conducted periodically in order to provide a picture of dual functions of officials, if any. When screening officials it could be checked at the same time whether there are any other undesirable conflicts of interest.

2. Allowing members of more than one club to shoot at a shooting range at the same time. In this way more earnings are generated, but the probability of safety hazards is also present since this may mean mixing different types of shooters and calibres with each of them having their own particular or different protocols, and less social control on the range. Based on the sources we consulted, the extent to which this safety risk occurred was limited to isolated incidents. This is only logical because it is common practice for clubs to have their own, fixed point of time of shooting practice and of being together as club members. In fact, many clubs are social clubs as well and 'mixing' with other 'strange' clubs does not fit in that respect. This safety risk might be reduced by including a ban on simultaneous shooting in the regulations. Finally, such a potential risk might also be reduced by intensification of police inspections and KNSA certification visits.

3. Shooting clubs that possess ranges and abuse the rules for guests for commercial purposes.

This safety risk has to do with groups (students, bachelor parties) that are allowed to shoot under the guise of being guests. This is not only against regulations, but clubs thus exploit in fact a shooting centre as well. The question is – and this is where the safety risk lies – whether shooting clubs employ sufficient and trained personnel to coach untrained shooters, besides the fact that (whole) groups are not allowed to practice shooting.

In theory this is a real safety risk, but in our research we only recorded two instances in which this actually had happened.

Just as is the case with the second safety risk, this potential risk will become clear at KNSA visits and police inspections.

Potential safety risks relating to storage and transport of weapons and ammunition

4. Vulnerability of storage and transport of weapons and ammunition.

The requirements concerning quality and mounting of safes, use of weapons by more than one person and transport of ammunition – certainly when compared with other countries – were put forward as risks. Licencees' names and addresses can be found rather easily by means of effective Googling, which made them and the weapons and ammunition they possess vulnerable to people looking for these things.

Based on police statistics it is known that in 2010 86 weapons and in 2011 75 weapons were stolen during burglaries at licencees' and shooting clubs.

The number of robberies during transport was limited to a few incidents only, as the research showed. Burglaries were one of the few safety risks that occurred relatively frequently. Therefore, the shooting clubs and the KNSA should be careful in the way they handle personal data on the Internet, so the home addresses of licensees cannot be easily found.

Furthermore, several respondents thought it selfevident to set quality requirements to safes. The use of trigger locks and anchoring the weapon to the vehicle were also suggested as measures in order to reduce vulnerability during transport of weapons. Many respondents were of the opinion that ammunition should be sent by registered mail. Also, they thought that co-users ought to possess a safe of their own. This is a measure which is already in place in a number of districts.

5. The amount of ammunition which licensees are allowed to store in their homes and the reloading of ammunition were also mentioned as safety risks.

This pertains to the large quantities of ammunition that shooters are allowed to have in their homes and the inadequate registration of ammunition, whereby ammunition could easily disappear from legal to illegal markets. Reloading ammunition, which every licensee – without any training or course – is allowed to do, was also regarded as a safety risk by some respondents. In particular the large amounts of gunpowder which people have at home for reloading may lead to highrisk situations with respect to danger of explosion and use (or misuse) for other purposes.

As to abuses and incidents with respect to this safety risk, our research showed that on a national level it concerned a few – sometimes extreme – cases. In terms of solutions, some respondents suggested to improve the ammunition registration. In this regard it is particularly important to gain more insight into the ammunition flows, in order to be able to make a list of potential risks. Registration in itself is difficult because of the fact that ammunition can also easily be ordered online or bought in other countries. With

respect to reloading it was suggested to make the German system of a training course mandatory or to introduce a test of competence for novice reloaders.

6. The large variation in the quantity and quality of the inspections of licensees' homes by the police was considered a safety risk with respect to the storage of firearms and ammunition by the majority of respondents.

Police inspections are a central element of the license system and when they are not conducted or of poor quality the whole system is affected.

Chapter 4 describes the state of affairs with respect to the inspections for every police district and shows large regional differences in this regard.

Our research showed that the police have acknowledged this problem and have seriously been trying to improve the quality and quantity of the home inspections.

Potential safety risks with respect to allowing people to shoot without a license

7. The screening of aspiring members of shooting clubs, which is too late and not professional enough.

Because an extensive screening of aspiring members by the Special Laws police department only takes place when people apply for a license, people who are actually not suited for the shooting sports can train themselves at shooting for a relatively long period of time. The so-called Certificate of Good Conduct which is needed now does not always provide sufficient security and, moreover, the question remains whether it is a good idea to put the responsibility for the first screening with the shooting clubs only – as is the case now. In addition, both club committee members and police officers are – without good instruments – not able to assess the mental health status of prospective shooters. Because of this, people unfit to own weapons and ammunition can acquire them.

National statistics show that on an annual basis approximately seventy people are denied a license, because they do not qualify – on the basis of police information. However, these people have been able to train themselves in the shooting sports until the time of rejection. It is unclear how many people would have been denied a license because they had failed a mental health screening.

As to solutions or measures proposed during the research, many respondents would prefer to have aspiring members screened by the SL police department beforehand. Also – and instruments are in the process of being developed now – professionalization of the mental health screening of would-be-shooters is much needed.

When screening on police information the SL police department should make better use of the information from CIE (Criminal Intelligence Unit), as indicated in the so-called Cwm (Dutch government circular on weapons and ammunition), for charting shooters' private lives. In a number of districts this is being done already. Furthermore, a number of respondents thought it was obvious to have the KNSA register (potential) aspiring members who had been rejected by clubs, so this group would become known

to other shooting clubs as well. Finally, the information form which the police use for licensees as of 2013, could also be presented to aspiring members by shooting clubs or the KNSA.

8. The lack of a national register of guests and recreational shooters, which makes it relatively easy to get skilled at shooting without having ever been screened.

Just as in many other sports, the shooting sports enable people to become acquainted with the sport via a guest scheme at a shooting club or as a recreational shooter at a shooting centre. Guests are allowed to shoot three times a year at one club (only), but they can shoot as guests at others clubs as well because there is no national registration. For recreational shooters there is no limit at all to the number of times they are allowed to shoot. So, people can train themselves in the shooting sports relatively easily without being screened.

Despite the fact that there has never been any systematic research into the extent of this safety risk, we found a number of instances where criminals had trained themselves at shooting via legal opportunities.

For shooting clubs and shooting centres it is already mandatory to register visitors. This visitor registration could be brought to a national level by the KNSA and the Dutch Association of Shooting Range Operators. Such a national registration could not only act as a deterrent, but would also offer the possibility of conducting inspections and would enable the shooting sports to end the anonymity of people who train themselves in the shooting sports without becoming a member of a club, and so, without ever being screened. Furthermore, clubs and centres could introduce a selfdeclaration for guests and recreational shooters in order to reduce the safety risks regarding guests and recreational shooters. This declaration would include that this particular person does not pose any danger to other shooters, nor will they cause any risk of danger.

9. Lack of supervision of recreational shooters at shooting ranges, which may cause safety risks to other people.

Despite the fact that this safety risk is at odds with the interest of centres – in order to keep their certificates – to operate safely above all else, this aspect was mentioned by a few respondents and was observed twice during the mystery guest visits we made.

With respect to this, the industry itself could conduct mystery guest visits, and inspections conducted by the Special Laws police department would also contribute to reducing this type of risk.

Overall reflection on the research findings

In the past few months we – in the capacity of researchers – have become acquainted with the shooting sports through interviews, visits to shooting centres and shooting clubs, and by actively engaging in shooting as mystery guests. In this way we were able to observe

and record how things work at shooting clubs and shooting centres. These research activities have provided us with a picture of a sport in which people are well-aware of the fact that they fire live ammunition and in which safety risks are taken very seriously. Everybody within the industry – committee members, operators and shooters – realised that careless action could lead to their certificate, license or permit being withdrawn. Sport shooters think twice before driving too fast, drink driving or committing an act of violence, because shooters with a criminal record will lose their licenses. Like one shooter said: *“With basketball or soccer you don’t need to stop playing basketball or soccer after having driven a car too fast three times, but with the shooting sports you do. Besides, the police check whether shooters have a criminal record at every renewal of their licenses.”*

All the people involved in this study have tried to think with us of potential safety risks related to the shooting sports. Safety risks do indeed exist, but in many cases the risks mentioned were almost of a theoretical nature: “it might be the case that”. Hard evidence based on registrations, incidents or instances was often barely to be found or not at all.

Moreover, the nine safety risks listed should also be seen within the context of the number of incidents with legal weapons being only five percent of all incidents with firearms. Although stating the obvious, we would like to stress that problems with weapons have much more to do with illegality and illegal markets than with the sport of shooting.

Despite these qualifications, shooting is a sport which differs from other sports because firearms are involved. A number of safety risks we listed do need some careful thinking and require in our view – partly as a result of the special nature of the shooting sports – action by way of legal measures or some alternative approach. The measures proposed here are divided into administrative measures and civil measures.

In our view it is curious that a sport where shooters, clubs and shooting centres are regularly inspected and which has strict requirements in place regarding the acquisition or renewal of a certificate, permit or license, lacks a national registration of guests and recreational shooters. At present, anyone can train themselves in the shooting sports without being screened. In this regard, a selfdeclaration by guests and recreational shooters themselves, as is used in the extreme sports, could also be a good step. Aspiring members who have been rejected by a club, should also be registered with the KNSA. Another option would be to introduce the information form which the police have used for licensees since only recently for aspiring members as well. This form would then need to be introduced by shooting clubs or the KNSA. After ‘Alphen aan de Rijn’, the necessary steps have been taken with respect to the professionalization of screening practices. On the basis of our research we would be in favour of having aspiring members screened not only by the clubs and by means of relying on the Certificate of Good Conduct, but also by involving the SL police department. Currently, a screening is only conducted when a person applies for a license after having completed eighteen shooting turns and having been a member of a shooting club for one year.

Dual functions of arms dealers and/or shooting range owners sometimes occurred and they could be regarded as commercial interests or conflict of interest in particular. For the purpose of transparency and as to potential risks it would be better to see to it that the KNSA rules and regulations, which exclude dual functions, are observed.

Mandatory introduction of relatively simple measures such as trigger locks, installing anchoring in vehicles and posing quality requirements to safes, could make storage and transport of weapons safer and significantly reduce vulnerability and safety risks in case of theft.

Finally, a number of less prevalent safety risks (abuse of the guest system, joint use of shooting ranges, inadequate supervision of recreational shooters) and the storage of weapons and ammunition ask for quality inspections or mystery guests being deployed by the industry itself (the KNSA or the Dutch Association of Shooting Range Operators). These measures pertain to the area of civil law. At the same time administrative measures such as regularly held expert inspections and house calls by the SL police department should be introduced. The aforementioned list of measures is not exhaustive. These are measures which were either mentioned by respondents or which we have developed as ideas for possible measures during our research. The measures which we deem feasible relatively easily are:

- More intensive and professional inspections by both the police and the KNSA;
- Introduction of quality requirements for safes and weapon transport;
- Introduction of a selfdeclaration for guests and recreational shooters;
- National registration of guests and recreational shooters;
- Requiring aspiring members to fill in the police information form.



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