

## This is a submission to the committee on Personal choice and community impacts

This submission deals with Airsoft a **Nonlethal** form of firearm currently illegal within Australia. Can this be made legal. In 2002 the firearms act was amended in Western Australia to make paintball legal even though it is **not** a recognised sport in Australia. Meanwhile in the rest of the world it has lead to sports that are enjoyed by hundreds of thousands.

### Airsoft

A brief description of what Airsoft is. Airsoft is a sport that has developed out of what were called BB guns in the 1980's and early 1990's. They were developed in Japan due to paintball being illegal in that country. A tagger used in airsoft consists of a simulated weapon made of plastic, Pot-metal or aluminium that ejects a round sphere 6 or 8mm in size made of either plastic or corn starch with a gluten coating (referred to as bio rounds as they break down quickly) with a weight of 0.12 up to 0.42 grams.

Airsoft as a sport/recreational activity is enjoyed by 100,000's around the world. By all ages and sexes. In the attached world map (Appendix A) you may note that every country in the world we would consider peers play the sport of airsoft.

In Australia it is not however recognised as a sport due to the current illegal status. However with over 20 publications in half a dozen languages and hundreds of stores online plus the actual reference in Law to the sport of airsoft in both New Zealand's firearms law and other countries it would be disingenuous to not proscribe it at least the recreational game/sport status that paintball enjoys in this Country.

Airsoft can be divided into at least three distinct disciplines

1/ Skirmish game's, Similar to paintball and laser tag

2/ competition shooting as to which the International Practical shooters confederation (IPSC) already has a full competition rules called action air [www.ipsc.org/pdf/RulesAir.pdf](http://www.ipsc.org/pdf/RulesAir.pdf)

3/ Collection, As replicas Airsoft cover every period from black powder through to modern period, making them a cheaper and more practical method for collecting replicas for WW2 and all periods up to modern.

So why **is** airsoft illegal in Australia is it because they look to real and why are other countries with similar firearms laws able to manage this aspect.

### How do they work

There are 3 types of mechanism that power an airsoft tagger

**Spring:** The action is drawn back similar to a bolt action rifle, the spring is compressed and releases forward pushing a piston compressing air to fire out the spherical round called a BB.

**AEG/SEG:** Auto or semi electric gun, powered buy an electric motor an a series of gears to pull back a piston which when released forward compresses air to fire out the BB

**GBB:** Powered by compressed gas in either a CO2 canister or a gas reservoir held in a magazine, upon pulling the trigger a striker hits a release valve letting out an amount of gas that is channelled through to fire the BB.

The BB then travels through a section attached to the inner barrel ( a smoothbore, non rifled tube) called a hopup and in the hopup connects with a rubber nub causing backspin (The Magnus effect)

How is this relevant. The electric and the spring systems used are the same as used in popular toys such as NERF guns. The latest version of a Nerf gun the Rival uses a hopup exactly the same as in an Airsoft tagger and will be shooting far larger than a 6mm sphere at over 70 mph, Reference popular mechanics <http://www.popularmechanics.com/technology/gadgets/a16896/the-mechanics-behind-nerfs-nutso-new-70-mph-guns/>

## They look to real

One of the biggest concerns expressed about airsoft is that they look real



Figure 1



Figure 2



Figure 3



figure 4



Figure 5



Figure 6

In figures 1-5 we have a capgun, a painted Nerf gun, a paintball gun, a plastic toy gun and even a wooden toy. All of these are for the most part readily available and all could be said to look like a real gun. Whilst in figure 6 we have the latest generation of laser tag guns, which do look just like real guns. Take a look at what is available at <https://www.armouredheaven.com.au/>

So can this be controlled. The answer to this is yes. Since 2008 countries around the world have worked to deal with this problem. The easiest and by far most common would be the use of an orange tip as has already been called for with toy gun's. Also there is the British system of painting the airsoft tagger 51% a bright distinguishable colour



Figure 7

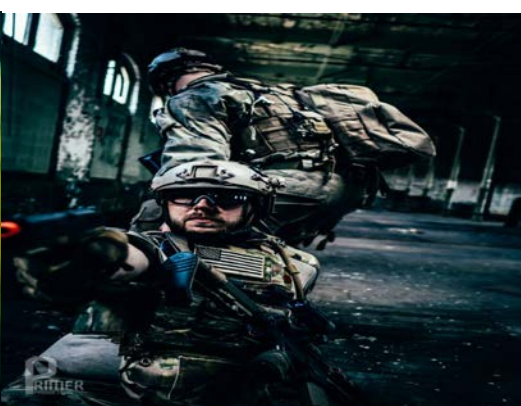


Figure 8



Figure 9



Figure 10

Figures 7-9 demonstrate the use of an orange tip on an Airsoft tagger whilst in game and figure 10 demonstrates the 51% painting of the body required by British regulations. You might note that they



stand out well. When the last review was done these options were merely ideas whilst today they are options commonly offered by suppliers and manufacturers.

Whilst there are also the options that look nothing like a real gun. Since the electric airsoft tagger is merely a mechanism wrapped in an outer shell there are of course other options



Figure 11



Figure 12



Figure 13



Figure 14

Figure 11 shows a “Thundermaul” made by Jing Gong, Figure 12 shows a modified NERF gun in the United Kingdom, Figure 13 shows an m41 blaster from the aliens movie series made by snow wolf and yes figure 14 is a starwars blaster. Clearly demonstrating that a Airsoft tagger need not look like a “real gun” (All of these are current or soon to be available airsoft taggers)

As opposed to in the past the systems and mechanism’s are there to show that they are in **no way real firearms**. They have been tried and tested and shown to work.

## They shoot out a projectile so they are dangerous

Anything that fires anything as a projectile if misused has the potential to cause harm, This would include water pistols and NERF guns to name a few, But for a real comparison of safety a better comparison would be between Airsoft and Paintball. Using sources of provided by Airsoft International and Floridaairsoft.com the figures work out the potential energy and therefore the potential damage.

<b>Airsoft BB</b>	<b>Feet per second</b>	<b>0.0002kgs</b>	<b>0.00043kgs</b>
	350	1.14(J)	2.45(J)
	600	3.34(J)	7.19(J)
<b>Paintball</b>		<b>0.003kgs</b>	
	350	17.07(J)	
	600	50.17(J)	

Weight being measured in kilograms and energy in Joules as can be noted a paintball carries significantly more damage potential than an Airsoft BB. With proper and recommended eye protection there is in fact no potential for injurie to be suffered to the human eye as is supported buy volume 5 chapter 45 the eye and sports medicine of Duane’s ophthalmology a standard text on eye medicine.



Figure 15

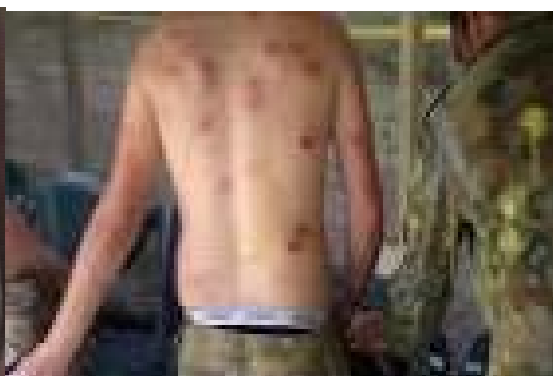


Figure 16

In figures 15 and 16 you can see on the left the damage caused to the human skin by a BB. Whilst on the right you can see the damage caused by a paintball round. The damage on the left will have healed in several days whilst the damage on the right will take weeks to fully heal and can cause permanent scarring to occur. However if you were to freeze a paintball round it is capable of catastrophic and even lethal force as shown in this short video <https://www.youtube.com/watch?v=3FmMfpGzYKw>

This is not something that can be done with airsoft. Standard steel and copper bb’s used in a bb air rifle of a size of 4.5mm (.177 calibre) are to small to be used in airsoft taggers. Whilst you could try using 6mm ball bearings both the combination of their being steel and the system being designed to use plastic bb’s would cause the bearings to tear apart the inside of the tagger and quickly lead to failure whilst they would be unable to reach a velocity to cause harm. Statistics provided by <http://www.tcaspr.org> (The centre airsoft statistics and player relations) show that by far the majority of all injuries caused during Airsoft are cuts, sprains and bruises. The kind of injuries obtained by any other active sport.

## **They can be turned into a real firearm**

One of the greatest myths ever perpetrated about airsoft is they can be turned into real firearms. With an electric airsoft tagger the entire system is electrical. There is no firing pin in fact the entire area that would be filled with a trigger etc.. is filled with a gear box, The same is true of the Gas blow back and springer versions. None of them have a firing pin and all work on the principle of air pushing the plastic bb forward. So if the mechanism cannot be converted to fire a real bullet then what else cannot be used. The barrel for an airsoft tagger universally consist of an inner and an outer barrel. Both are smoothbore and have no rifling. The inner barrels are either of stainless steel or brass and 6mm in width, the outer is either of a mild steel or aluminium and is normally 8-10mm in width. There is no chamber which is where a bullet sits in a real firearm and there is no capability of adding one for a bullet to sit in. Even if this was possible the outer body of Airsoft taggers are made normally of plastic, alloy steel known as pot metal and aluminium. This is in no way similar to the high strength high tensile steels used in a real firearm and would literally disintegrate if anyone tried to fire a real bullet from inside. You would in fact have a better chance building an old fashioned "zip" gun and it would be safer. The magazines are made of either plastic or cast metal for GBB. These are incompatible with real ammunition and are incapable of being converted to be so as they are built to take a spherical 6mm bb, Even if you tried to refashion the magazine to take a bullet it would take a fantastic level of skill for little result as there are no ways that an airsoft tagger can be converted to fire live ammunition.

## **They will end up in the hands of criminals**

In a country where we are more likely to get murdered or assaulted with a knife, Where the biggest single weapon in violence is someone's fist and feet, where we have had robberies committed with a boomerang (literally a sharpened stick) it has become an unfortunate catch cry of the anti-gun lobby that anything that even looks like a firearm will be used by criminals. The sad truth is that the criminal element will use anything they can get their hands on. However the senate firearms and violence report of April 2015 shows that less than 1% of all firearms used in violence were registered or stolen firearms. To continue to say that they will automatically end up in the hands of criminals leaves the entire system for firearms licence and storage open to conjecture as to its validity. No one goes through the rigorous process of obtaining a Firearms licence and then applying for their firearm with the purpose of giving them over to criminals. To automatically assume that those who want airsoft are going to do so is irresponsible and ignores every piece of evidence provided by the senate report that supports that legal firearms owners are following the law and that it is the criminals breaking the law. It is an unfortunate fact that the criminal element has access to far to many firearms to the point they have no problem obtaining new firearms to replace those seized by the police. So how can it be assumed that what are viewed by many countries as toy's be so desirable by criminals that they will automatically target all users of airsoft. The airsoft pistol used recently in Perth for a hostage situation is an unfortunate example of black-market or grey-market import and no regulation possibly linked with a period when they were sold as unregulated and unlicensed "toys" in south Australia. Overseas retailers and suppliers have shown themselves very happy to comply with a countries laws when they are known and in place, Example USA and the orange tip, UK and 51% painted body, New Zealand when it had Semi-auto only and now with the new import licence system in place since November 2013.

## Durability

The durability of firearms was one of the greatest concerns raised by the senate committee report. A normal firearm as is well known if looked after and stored properly has virtually no end date for usability.

This is significantly different with Airsoft. With the bodies made of plastic and pot metal or aluminium they wear out or breakdown at a far higher rate. Airsoft taggers built in the late 80's and early 90's are now considered collectors pieces because so many of them have broken to pieces over the years. Rough treatment will break the outer body off an Airsoft tagger. As shown bellow in figures 17 you will see a snapped front end of a receiver, Figure 19 shows a cracked rear receiver and figure 18 shows the front end of a broken gear box for an AEG.



Figure 17



Figure 18



Figure 19

In order to damage a real firearm in such a manner would require incredible force as the steels used are of such a higher tensile strength than those used in airsoft. Added to this are the internals. For Gas based systems there are a large number of O-rings and valves that require regular maintenance or else they perish. Electrical systems also have a number of O-rings and also electrical systems that deteriorate without use. In all an Airsoft tagger if placed in storage for a number of years would require to be completely rebuilt in order to be used again. On average most airsoft taggers have a lifespan of approximately 3-5 years.

## Social versus Anti-social

A good place to also talk about one of the words used in airsoft that has caused tension and confusion. I refer to the word Milsim or military simulation. This is simply a word that has come into common usage to describe a game lasting from anytime of several hours up 48 hours or longer that

include multiple objectives and points to be earned for each team. It is not unique to airsoft skirmish games and is used for laser tag and bushball (paintball outside of an arena setting) throughout the world. A quick google search in Australia alone reveals it's usage for groups meeting online to play popular computer games such as ARMA, Call of Duty and Battlefield.

There has also been much noise made about the possibility of terrorists using Airsoft to train with. They have already been proven to have used paintball as a recruiting tool in this country. However if such an occurrence was to happen as law abiding citizens who have passed all the requirements to hold a firearms licence we would look for evidence of such behaviour and pass it on to appropriate authority's. This has happened precisely once in the history of New Zealand's airsoft in which an individual demonstrated extreme white power sympathies. The persons details were passed onto the police who thanked ASNZ (Airsoft New Zealand) as this individual had not been on their radar but was subsequently found to be selling firearm parts into the black market. Again if any law abiding individual suspected that someone was engaged in illegal activity then they would report it.

As to any thoughts on Airsoft being antisocial. Nothing can be further from the truth. It has in fact been proven to help drag young adults away from computers and game consoles and into the outdoors and around real people. Very good work is being done by <http://blacksheepmilsim.com/> and their PTSD-milsim challenge as they study the benefits of playing group based challenge games such as Airsoft skirmish has had for those who suffer from PTSD (post traumatic stress disorder). As to the community basis of a group of airsoft players if I am permitted the example of WMA (Wellington Milsim Airsoft) a group based in New Zealand's capital that have over the last 2 years raised over \$60,000 for CCF (Child Cancer Foundation) making them the largest non-corporate contributor to CCF's funding. Not bad when you think the group has only 15-25 members







As you can see from the previous pictures rather than being some form of crazy people they are just a group of mate's ranging from 18 to their mid 50' who enjoy their sport. We have fathers and son's as well as occasionally daughters. We have students all the way to a retired Major from the Salvation army. So many backgrounds and a very social group indeed. Not the anti-social misfits some would portray them as.

Other social benefits are huge. Competition, the second world Action Air championship's are being held in Taiwan in November with competitors from around the world including from New Zealand, Europe and America, However no one from Australia will be competing. These competitions could easily be held here though providing tourist dollars and prestige to Australia. In 2004 Tatsuya Sakai won a world pistol shooting competition after training for 11 months on airsoft pistols and only used a real firearm a month before the competition. A great deal has been raised about youth access to firearms and youth permits. Would it not then desirable to train the youth on non-lethal replicas that work similarly or the same as a real firearm. In fact Airsoft would be an excellent system for training people in firearms safety with no risk or danger of injury. In fact it is the perfect sport to get young people outside who do not conform to traditional sports. From getting people outdoors and active to group social interaction there is nothing but benefit.

## Collectors

Concern was emphasised in the Senate paper about the proper deactivation of firearms and rightly so as this was one method of entry of firearms into the grey market. Would it not be better if a collector could obtain that M1 Garand, Lee Enfield or Mousin Nagant in a non lethal airsoft form and there would be no reason for the collectors to complain about deactivating expensive and possibly rare real firearms.

## The economics of Airsoft

Truly a difficult question is what Airsoft would be worth to the economy of Western Australia. I know that at the moment Australia loses at least \$50,000 a year from those who travel to New Zealand on a regular basis to participate in Airsoft related activity. It is known to be a **multi-billion** dollar industry throughout the world. So much so that companies such as Colt, Winchester, Heckler and Koch to name a few have seen the benefit of licensing their brand. Businesses such as LBT tactical (London Bridge Trading) Providers of equipment for USA special forces have seen the benefit of the Airsoft market and opened LBX tactical to cater for Airsoft players. Manufacture which had been limited to Japan, China and Taiwan has now started in Europe and the United States. As a mark of the growth of Airsoft even Tippman a long time manufacturer of paintball markers has now started into the airsoft market. Companies that have started out making clothing and equipment for airsoft are now in a position to bid for government contracts. It is conservatively estimated that airsoft is worth **\$175 million a year to the US economy** and that the average player spends over **\$4000 per year on the sport** (TCASPR statistics).

How would this translate for our country. New businesses and opportunity's for existing business to expand. Manufacture and events to be held as well. The largest Airsoft "Milsim" game so far held was in Rumania and had 6500 players. In America they regularly have large games on east and west coast of 1000+ players. Similar sized games are held in Britain, France and Germany. All travelling to a location to play and spending tourist dollars in doing so. This could easily be happening here within a few years of Airsoft being legalised in this country.

Theatrical usage of Airsoft is huge around the world, The Indonesian movies attack the block 1 & 2 were filmed using nothing but airsoft taggers. This allowed a production company in a country that allow no real firearms to produce two movies that had world wide distribution worth millions. They have been seen in TV shows ranging from NCIS to sci-fi shows like Defiance. They use them because of the high costs of hiring experts in firearms that are needed when real firearms are on set and also because they are safer as even a blank round fired from a real firearm can cause damage to a person at extreme close range. New production companies and those working on student films among others would benefit from being able to include airsoft taggers in movies and TV shows.

## So how can Airsoft be legally controlled

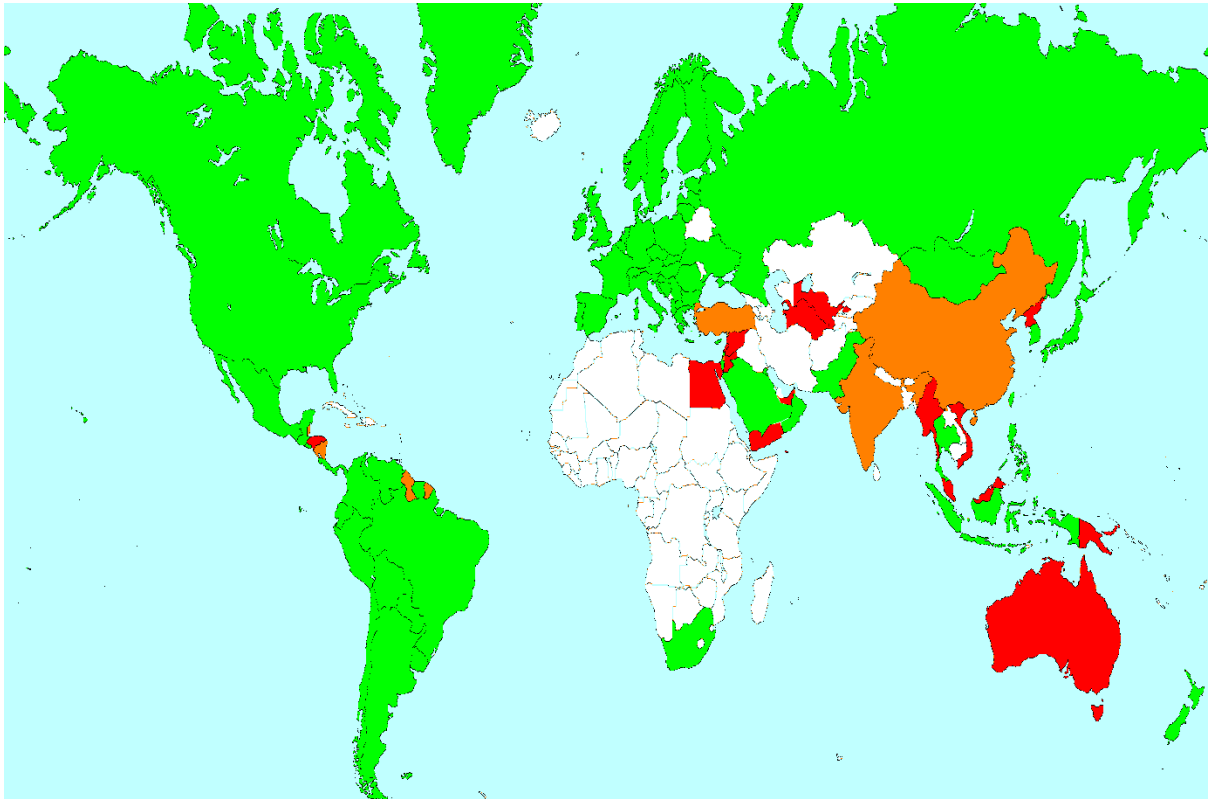
The systems in place for applying and obtaining a firearms licence in this country are perfectly adequate. All that is needed to make Airsoft legal is for the individual states to recognise in law that it is a recreational sport. As already shown there are many methods to change an Airsoft tagger so that it will not be mistaken for a real firearm. It could be made illegal to change this appearance unless permitted for theatrical usage. Perhaps it would also be a good idea to move airsoft and paintball into a new category of nonlethal firearms as I'm sure the paintball users would like to find a way to access the magazine feed paintball markers and paintball pistols.

There is little to impede the introduction of airsoft except for a blatant ignoring of the facts that it has been successfully introduced in more countries than it has ever been banned from. The most recent being the Netherlands after a 10 year fight, Which I hope will never be the case in such a forward thinking country as this. The Australian Army has even now started to use Airsoft taggers for training. With tens of thousands of videos online for airsoft awareness of this sport being played overseas but not here is only increasing. We only ask for a fair chance to enjoy our sport.

Yours Sincerely

Mark Mildenhall

## Appendix A



Green = Legal

Orange= No legal status or illegal but not policed

Red = Illegal