

ARE THE POLICIES OR REGULATIONS REGARDING GUNS ON MOVIE SETS CURRENTLY ADEQUATE?

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Abstract: In 2017, in Brisbane's CBD actor Johann Ofner died after a prop gun with blanks fired. A shooting incident fatally wounded Halyna Hutchins, Ukrainian cinematographer on the 21/10/21 during the film set production [Rust], New Mexico, USA. Documents, film institute guidelines, bulletins, or government postings were sourced; Irish Film & Television Health & Safety Guide [published 2002, revised in 2021], the USA Alliance of Motion Picture & Television Producers [AMPTP], Australian Film Industry [Australia], Ontario's Ministry of Labour [Canada] & the Health & Safety Executive [UK]. 4/5 countries specify no live ammunition on set. The USA Industry-wide labor-management safety committee [safety bulletin #1], recommendations for safety with firearms and use of "blank ammunition", [revised on 04/16/03], states no "live ammunition" is to be used nor brought onto any studio lot or stage. Australia, Ireland [the original guide] & Canada also state that prop guns by virtue that they're loaded with blank cartridges/ammunition should only be used. The UK document; Management of firearms/weapons in film and TV productions [Information Sheet No 20.[09/17]] mentions live ammunition. Hazards apply to live and blank ammunition & they shouldn't be mixed but rather stored in separate containers thus indicating that live bullets are allowed on set. Blanks pose hazards. Ireland's recommendation of BB & rubber guns should be considered. USA requires rule enforcement of no live ammunition on set given the tragedy in 2021. UK requires review - the above document says live ammunition is still allowed on set which is a concern.

Keywords: firearms, injury prevention, gun safety

Introduction

On-set deaths from prop guns are rare — but not unheard of. Jon-Erik Hexum died in 1984 from injuries sustained from an accidental self-inflicted blank cartridge gunshot [Wikipedia – a, 2023]. Brandon Lee, died on March 31, 1993 [aged 28 years old] after being fatally wounded on the set of *The Crow* by a prop gun [Wikipedia - b, 2023]. These deaths sparked debate over firearm safety on set.

In 2017, in Brisbane's CBD actor Johann Ofner died after a prop gun with blanks fired [The Conversation. 2022]. According to another news article; Mr Ofner [a stuntman] was starring in a music video for band Bliss N Eso and the tragedy occurred at the Brisbane CBD bar Brooklyn Standard [News.com.au, 2022]. According to this news article, the coroner said the transmitted force caused the shot, and the chest gunshot wounds caused heart failure. During the inquest, the court was told there was the shotgun, along with several other replica handguns and a submachine gun. The weapon's shells had been illegally obtained and on the day of filming no test fires were carried out on the shotgun.

A shooting incident fatally wounded Halyna Hutchins, Ukrainian cinematographer [21/10/21], during the film set production [Rust] New Mexico, USA [Wikipedia - c, 2023]. According to a news article, Ms Halyna Hutchins was shot dead by Mr Alec Baldwin on the set of "Rust" [ABC News, 2022]. The director, Mr Joel Souza, who was also injured told investigators that Baldwin was assured he was handling a "cold gun" [The Guardian, 2021].

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Given these tragic incidents, this manuscript is reviewing the gun regulations relating to the filming of motion pictures and television productions.

Materials and Methods

Five of the top 25 Countries by GDP/Capita (2020) or the Health Development Index [HDI] were randomly selected; UK, USA, Australia, Ireland, and Canada. This was done as the author considered that by selecting five sample countries in the top 25 with either of these measures, they would have well-organized and comprehensive guidelines, policies, and documents. This therefore would form a basis for a concrete understanding of the literature.

Gross domestic product [GDP] is an aggregate measure of production, income and expenditure of an economy and is defined in the e-Handbook of Statistics [UNCTAD Handbook of Statistics, 2022]. Gross Domestic Product (GDP) per capita shows a country's GDP divided by its total population.

The health development index [HDI] is a summary measure of human development [World Health Organization Nutrition Landscape Information System (NLiS), 2022]. Health, knowledge, and standard of living are the three basic aspects of human development included in this summary composite measure.

Gun regulations relating to workplace health and safety pertaining to the filming of motion pictures and television productions were reviewed.

Results and Discussions

Sources of information

Documents, film institute guidelines, bulletins, or government postings were located on various websites listed below;

- The Irish Film & Television Network [Irish Film & Television Health & Safety Guide [The Irish Film & Television Network, 2002].
- In the United States, there is the USA Alliance of Motion Picture & Television Producers [AMPTP] [USA Alliance of Motion Picture & Television Producers, 2003]. Since 1982, the AMPTP has been the trade association responsible for negotiating virtually all industry-wide contracts. The organization is the entertainment industry's official collective negotiating representative, acting on behalf of hundreds of motion picture and television producers. The USA Industry-wide labor-management safety committee published safety bulletin #1, titled; recommendations for safety with firearms and use of "blank ammunition", [USA Alliance of Motion Picture & Television Producers, 2003].
- In Canada, there are the 'Safety guidelines for the film and television industry' [Ontario's Ministry of Labour, Canada, 2022].
- The Australian Film Industry [Australia] utilizes the Film Industry Recommended Safety Code and the Film & Television Safety Guidance Notes [Gailey L & Read T, 1995]. The Australian national guidelines for screen safety have recently been revised [Screen Safe Australia, 2022].
- The UK document; Management of firearms/weapons in film and TV productions [The Health & Safety Executive [UK], 2017].

Recommendations

To detail some of the information, recommendations and rules of the above documents, the following information as detailed below is relevant.

Four out of five countries specify no live ammunition on set. The USA Industry-wide labor-management safety committee [safety bulletin #1], recommendations for safety with firearms and use of "blank ammunition" states no "live ammunition" is to be used nor brought onto any studio lot or stage [USA Alliance of Motion Picture & Television Producers, 2003]. It also states that blanks can kill and that all firearms should be treated as though they are loaded. Australia, Ireland [the original guide] & Canada also state that prop guns by virtue that they're loaded with blank cartridges/ammunition should only be used.

The Australian Film Industry [Australia] utilizes the Film Industry Recommended Safety Code and the Film & Television Safety Guidance Notes [Gailey L & Read T, 1995]. The Safety Guidance Notes cover all aspects of the safety issues in film production in relation to firearms & other weapons, special effects, stunts, wardrobe, make-up, vehicles, boats, aircraft, children, animals, crew issues, and more. In particular, in relation to guns, they state no live ammunition on set.

The Australian screen safe update specifically states [Screen Safe Australia, 2022];

“Procedure, on set where firearms in use. 1. Each day, the First AD, Armourer and the Safety Officer should discuss the proposed schedule of use of the firearms. The First AD and Safety Officer should be satisfied that the guns brought to set are safe and unloaded and that no live ammunition is on set. Where large numbers of firearms are to be used, the armourer may need to bring other suitably licenced and trained armoury staff. No other members of crew are to handle the firearms”.

The UK document; Management of firearms/weapons in film and TV productions [The Health & Safety Executive [The Health & Safety Executive [UK], 2017] mentions live ammunition. Hazards apply to live and blank ammunition & they shouldn't be mixed but rather stored in separate containers thus indicating that live bullets are allowed on set.

Discussion

The new updates in Australia were developed, funded and incorporated information from legislation from various groups such as the Media, Entertainment and Arts Alliance, Screen Producers Australia, and various film and screening corporations in numerous states of Australia, [Screen Safe Australia, 2022]. They cover the legislation, how to mitigate risks, compliance strategies, and incident reporting rules.

The Australian film industry has an excellent track record with regard to safety due in no small part to the Film Industry Recommended Safety Code and the Film & Television Safety Guidance Notes [Gailey L & Read T, 1995].

Various documents then had links to other documents such as the document titled; Firearms permit for film, television or theatrical production – New South Wales [Australian Government ABLIS [business.gov.au], 2022]. It states

“You will need this permit if you intend to use a firearm in relation to a film, television, or theatrical production and it is impractical to engage the services of a theatrical armourer to remain on-site to supervise the possession and use of firearms for the duration of the production”.

An update dated 2019/2021 to the original Ireland recommendations from the Ireland guidance document includes mention of rubber guns & prop weapons [The Irish Film & Television Network,

2002]. It is recommended that productions consider using these. The armourer or model marker can provide these. An alternative to real & replica guns & weapons, they are safer & are highly recommended. The document also discussed the use of a BB Gun, a type of air gun designed to shoot projectiles called BBs. A BB gun does not require a license. If there is no requirement for blank firing these should be considered. They look realistic in appearance, size, & weight. Hazards are still apparent when a plastic BB projectile is discharged. Before being used on set, BB guns need to be decommissioned completely. So that the gun is unable to discharge, the barrel should be permanently blocked & pinned, glued, & sealed & all firing components removed.

Conclusion

There is evidence that blanks still pose hazards. Ireland's recommendation mentioned in the update, being related to the use of BB & rubber guns should be considered. The USA requires rule enforcement of no live ammunition on set given the tragedy in 2021. Finally, the UK requires review as it seems that in the above document given it says that live ammunition is still allowed on set but that it should be kept in separate containers from blank ammunition, so maybe this should also be reviewed given the incidents as mentioned in this manuscript. Funding; there was no funding source for this project.

Declaration of Interest Statement

Conflict of interest; the authors declare no conflict of interest.

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