

BRITISH SHOOTING SPORTS COUNCIL

ANNUAL REPORT

2015

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FOREWORD

After a busy 2014, 2015 brought us the near certainty of a much revised EU Weapons Directive in the wake of terrorist incidents in France and Belgium. While the BSSC would support measures which would significantly hinder terrorist activities, the first draft of the Directive was focused on further restricting the easy targets: the law abiding and already licensed target shooter, hunter and collector. Much work will need to be done to protect their interests, and we look forward to working closely with the Home Office, which will be representing UK interests.

The work of the Law Commission, with which the BSSC was much involved during 2015, has brought the real possibility not only of some very useful short-term changes to the Firearms Act 1968, which is much amended and no longer fit for purpose, but also of ‘codification’: a complete re-write of the legislation to revise, simplify and modernise the law. The BSSC urges the Government to pursue this proposal.

The Lord Glentoran CBE

THE COUNCIL'S OFFICERS

PRESIDENT	The Lord Glentoran CBE
CHAIRMAN	Sir Peter Luff
VICE-CHAIRMAN	Martyn Jones
TREASURER	Bill Harriman
SECRETARY	David Penn

“The aims and objectives of the Council are to promote and safeguard the lawful use of firearms and air weapons for sporting and recreational purposes in the United Kingdom amongst all sections of the community.”

(Extract from the Constitution of the Council)

ASSOCIATION REPRESENTATIVES

ASSOCIATION OF PROFESSIONAL SHOOTING INSTRUCTORS	Chris Miles
BRITISH ASSOCIATION FOR SHOOTING AND CONSERVATION	Bill Harriman TD
COUNTRYSIDE ALLIANCE	Graham Downing
CLAY PIGEON SHOOTING ASSOCIATION	Nick Fellows
GUN TRADE ASSOCIATION	John Batley
HISTORICAL BREECHLOADING SMALLARMS ASSOCIATION	Derek Stimpson
INSTITUTE OF CLAY SHOOTING INSTRUCTORS	Malcolm Plant
MUZZLE LOADERS' ASSOCIATION OF GREAT BRITAIN	Ken Hocking
NATIONAL RIFLE ASSOCIATION	Andrew Mercer
NATIONAL SMALLBORE RIFLE ASSOCIATION	Ken Nash
SPORTSMAN'S ASSOCIATION OF GREAT BRITAIN & NORTHERN IRELAND	Mike Wells
UNITED KINGDOM PRACTICAL SHOOTING ASSOCIATION	Rob Adam (until April) Adam Rowsell (from April)
CO-OPTED MEMBER	Jim McAllister
HONORARY LEGAL ADVISER	Mark Scoggins

ABBREVIATIONS

ACPO:	Association of Chief Police Officers (England and Wales)
AECAC:	European Association of the Civil Commerce of Weapons
AFEMS:	Association of European Manufacturers of Sporting Ammunition
ATT:	Arms Trade Treaty
BASC:	British Association for Shooting and Conservation
BMA:	British Medical Association
CA:	Countryside Alliance
CASA:	UN Control Action on Small Arms
CIC:	International Council for Game and Wildlife Conservation
CIP:	Permanent International Commission for the Proof of Small Arms
CLA:	Country Land and Business Association
CMS:	Conservation of Migratory Species of Wild Animals
CUF:	Criminal Use of Firearms, an ACPO Secretariat
DEFRA:	Department for Environment and Rural Affairs
DG:	Directorate General
ENPACT:	European Multidisciplinary Platform against Criminal Threats
ESFAM:	Association of European Manufacturers of Sporting Firearms
ESSC:	European Shooting Sports Council
ESSF:	European Shooting Sports Forum
EU:	European Union
FAC:	Firearm Certificate
FACE:	European Federation of Associations for Hunting & Conservation
F&GP:	BSSC's Finance & General Purposes Committee
FELWG:	Firearms and Explosives Licensing Working Group, an ACPO body
FESAC:	Foundation for European Societies of Arms Collectors
GP:	General Practitioner
GTA:	Gun Trade Association
HBSA:	Historical Breechloading Smallarms Association
HMIC:	Her Majesty's Inspectorate of Constabulary
HSE:	Health & Safety Executive
IEACS:	Institute Européen des Armes de Chasse et de Sport
IMCO:	EU Internal Market and Consumer Protection Committee
ICT:	Information and Communications Technology
IPCC:	Independent Police Complaints Commission
ISACS:	International Small Arms Control Standards
IT:	Information technology
LAG:	DEFRA Lead in Ammunition Group
MEP:	Member of the European Parliament
MEWG:	Home Office Medical Evidence Working Group
MLAGB:	Muzzle Loaders Association of Great Britain
MP:	Member of Parliament
NABIS:	National Ballistics Intelligence Service
NFLMS:	National Firearms Licensing Management System
NGO:	National Gamekeepers' Organisation <i>or</i> Non-Governmental Organisation
NHMRC:	National Health and Medical Research Council
NHS:	National Health Service
NPCC:	National Police Chiefs' Council
PoA:	Programme of Action
REACH:	EU Registration, Evaluation, Authorisation and Restriction of Chemicals

RFD:	Registered Firearms Dealer
RoRo	Roll on roll off car ferry
SARPA:	Scottish Air Rifle and Pistol Association
SGC:	Shot Gun Certificate
SNP:	Scottish National Party
TAM:	Terrorism and Allied Matters
T&R:	BSSC's Technical & Research Committee
TNIAG:	Themed National Independent Advisory Group
UKIP:	United Kingdom Independence Party
UN:	United Nations
WFSA:	World Forum on Shooting Activities

Overview of the year:

Several long-running themes continued in 2015 with varying rates of progress. These included medical involvement in firearms licensing, eCommerce, Scottish air weapon legislation, explosives regulations, the Home Office 'Guide on Firearms Licensing Law' and a dedicated hotline to enable concerns to be expressed about firearms owners.

Coming to the fore were antique firearms, the Law Commission's report, the report on firearms licensing offices by Her Majesty's Inspectorate of Constabulary, the EU Weapons Directive and lead in ammunition.

Antique firearms:

In view of the need to find ways of preventing the occasional misuse of antique breech-loading pistols by criminals and following the meetings in May and September 2014 of the Home Office Working Group on Antiques, a further meeting took place on the 12th February between the BSSC and the Heritage Arms Study Group to discuss a paper for submission to the Home Office and the Law Commission, since the latter would be specifically considering the definition of 'antique' in relation to firearms as part of its review of firearms legislation. In August after consultation the Home Office published on line two leaflets dealing with recent changes in the law on the possession of antique firearms by prohibited persons. They were titled 'Antique Firearms What do you need to know?' and 'Antique Firearms What do sellers and buyers need to know?'

Approved Clubs criteria:

Following meetings in 2014 work continued in 2015 on the redrafting of the Home Office's 'Approval of Rifle and Muzzle-loading Pistol Clubs' leaflet, last issued in 1998. A major issue continued to be reporting procedures for members who had left the club or had not used their firearm for twelve months.

Computerisation of dealers' registers:

During 2014 a major issue for registered firearms dealers had been the anticipated requirement to comply with Article 4 of the EU Weapons Directive 2008/51/EC. The Home Office had advised that, from 31 December 2014, paper based records would no longer be acceptable and dealers would be required to maintain their registers on a computerised filing

system for a minimum of 20 years. On the 23rd December, however, the Home Office changed its advice and stated that there would be no mandatory obligation to computerise. Here matters rested during 2015 so far as domestic procedures were concerned, but the requirement to computerise dealers' records remained a key feature of the evolving draft EU Weapons Directive and would come to the fore again in 2016.

Council and Committee meetings:

Meetings of the Finance & General Purposes and the Technical & Research Committees were held on the 12th February. At the former there was discussion of the annual income and expenditure spreadsheets, membership, the audited accounts for 2014, arrangements for the Annual Luncheon and the Council's subscription to FACE UK. At the latter, firearms fees, revision of the Firearms Rules, eCommerce, deactivated firearms, Scottish air weapon legislation, General Practitioner involvement in firearms licensing, new Regulations affecting the marking of explosives and explosives packaging (these would not affect retailers or home loaders), the Law Commission's review of firearms law, the UN CASA (Co-ordinating Action on Small Arms) ISACS (International Small Arms Control Standards) project, the EU Directive on Weapons Control, the Olympics, Her Majesty's Inspectorate of Constabulary's review of 12 firearms licensing offices, and charitable status for rifle clubs. The Council's Annual General Meeting was held on the 17th March, at which Lord Glentoran was re-elected as President, Sir Peter Luff as Chairman, Martyn Jones as Vice-Chairman and Bill Harriman as Treasurer. Jim McAllister was co-opted on to the Council. The 2014 Accounts were approved. The AGM was followed by a brief Council Meeting at which General Practitioner involvement in licensing, lobbying, eCommerce, antique firearms, the Law Commission, the EU Weapons Directive and the legal status of forward venting blank firers were discussed. The Council's Annual Luncheon was also held on the 17th March. Council guests were: Detective Chief Superintendent Jo Chilton (Head of NABIS), Geoffrey Clifton-Brown MP (Chairman, All Party Group on Shooting and Conservation), Claire Gipson (Former Head, Home Office Drugs and Firearms Unit), Roger Hancox (Proof Master, Birmingham Gun Barrel Proof House), Martin Parker (Lead Forensic Scientist, NABIS) and Derek Stimpson (Chair, Historical Breechloading Smallarms Association).

A meeting of the Technical & Research Committee took place on the 14th April, at which the Law Commission gave a presentation. The Commission published a consultation paper, later in the summer, in the form of chapters, each addressing a perceived problem. The Commission sought practicable solutions and was not driven by a political agenda. The Commission would look at the case for an entirely new Firearms Bill. More modern and accessible language would be employed. One major issue would be the definition of 'antique' in regard to firearms. The Commission would consider sentencing and mechanisms for 'future change via a 'Firearms Code''. There was discussion about criminal intent and on the impact of reduced police budgets. Following the presentation the Committee discussed the National Firearms Licensing Management System, which had been declared a 'legacy' system by the Home Office, meaning no further work would be undertaken to integrate it with the eCommerce program. It was to be replaced with a licensing system to which all 43 English and Welsh forces would be obliged to conform. There was also discussion of deactivation certificates and EU attitudes to deactivation, Scottish legislation, GP involvement in the firearms licensing process, the DEFRA Lead in Ammunition Group, the recent Practitioners' Group meeting, the Arms Trade Treaty situation, the Olympics and the HMIC's review of firearms licensing offices.

A meeting of the Council was held on the 11th June. It considered further submissions to the Law Commission, the proposed transfer of financial responsibility for the National Firearms Licensing system from the Home Office to the Police ICT Company, deactivation, .410 shot revolvers and resignations from DEFRA's Lead in Ammunition Group. The BSSC's Forward Plan was agreed.

Meetings of the Technical & Research Committee and the Finance & General Purposes Committee took place on the 7th September. The T&R Committee meeting was largely devoted to finalising the Council's response to the Law Commission's consultation paper, in particular the definition of 'lethality' and issues relating to antique firearms, component parts, and deactivation. The Council strongly supported the Law Commission's view that the best way forward was a codification of the law (i.e. a complete re-write). Also discussed were EU activity on standards for deactivation, standards for blank firers which would preclude their conversion to fire ball ammunition, a harmonised EU system for marking of firearms to avoid unnecessary re-marking, and a review of the EU categories of firearms. There was discussion of the report on firearms licensing from Her Majesty's Inspectorate of Constabulary. The Finance & General Purposes Committee reviewed the Council's income and expenditure spreadsheets, considered the budget for 2016 and discussed arrangements for the 2016 Annual Luncheon.

A meeting of the Council took place on the 29th October. Among items discussed were media training, the 2016 budget, which was approved, a further meeting with the Law Commission to discuss antiques, component parts, airsoft use for training and target shooting, the forthcoming meeting with the Minister and the Annual Luncheon.

A meeting of the Technical & Research Committee took place on the 26th November. Among items discussed were Scottish legislation, the EU Firearms Directive, the recent meeting of the NPCC Criminal Use of Firearms Themed National Independent Advisory Group meeting and the Standing Conference on Countryside Sports and Management meeting held on the 12th November.

Deactivated firearms:

Deactivation again became a major concern in the EU after it became clear that some of the automatic rifles used in the recent terrorist shootings in Paris had been 'reactivated'. They had not, however, been deactivated in the first place to anything like the UK standard, but had received minimal and easily reversed modifications to turn them into so-called 'acoustic' blank firers. These were fully functional assault rifles with easily-removed occlusions in their barrels. The great variation in deactivation standards within the EU had already caused the EU Commission to seek the advice of the CIP (the Commission Internationale Permanente pour l'épreuve des armes à feu portatives ("Permanent International Commission for the Proof of Small Arms")) in drawing up a common set of standards. The EU's pursuit of means to control deactivated firearms, continued into 2016, included a proposal for some form of licensing or registration.

Department for Environment, Food and Rural Affairs Lead in Ammunition Group and the lead issue:

Appointment to this Group had been *ad hominem*, but those representing shooting interests came from the Countryside Alliance, the CLA, the Game Conservancy, the National Game Dealers Association and the Gun Trade Association. They have resigned because deliberations of the LAG had been unsatisfactory. These resignations had made it impossible for a consensus report to be submitted to DEFRA. It is understood that Sir Barney White-Spunner, a former member of the Group, submitted an alternative report. The LAG has continued to meet without representation from the shooting community. The matter now lies with DEFRA.

Australia's National Health and Medical Research Council (NHMRC) has recently published a report titled "Evidence on the Effects of Lead on Human Health" which states: "It is not possible to conclude that lead was the direct cause of any of the reported health effects in individuals with blood levels less than 10 micrograms per decilitre. While the results from some studies indicate that blood levels less than 10 micrograms per decilitre may be associated with some health effects, the available cross section studies do not provide the type of convincing evidence that would enable public health experts and statisticians to make confident conclusions about cause and effect."

A Lead in Ammunition Symposium was held in Brussels on the 20th October, organised by the World Forum (WFSA) and the European Ammunition Manufacturers (AFEMS), at which many papers were presented and discussed. Of particular note were papers on copper projectiles (which tend to foul barrels more than lead and might also be a risk to the environment), the possible involvement of insurance claims in the event of change to a type shot which is liable to ricochet and the possibility of metallic lead soon being classified under the EU's REACH (Registration, Evaluation, Authorisation and Restriction of Chemicals) Regulation. The consensus of the Symposium was that, although lead is toxic and can present risks to young children, pregnant women and others who eat large quantities of lead shot game, it presented little risk to wildlife populations in the environment. There was, however, no new break-through regarding the use of lead in ammunition.

eCommerce for firearms licensing:

During 2014 the BSSC was closely involved in the eCommerce for firearms licensing project to supersede the now ageing National Firearms Licensing Management System. This was part of a much wider and more ambitious computerisation programme covering a wide range of police administrative activities. The BSSC has been keen to see achieved improvements in speed, efficiency and consistency, including on-line applications for certificates. Unfortunately there was almost no progress during 2015 in the face of major cuts in funding for policing.

EU Directive on weapons control:

During 2014 there had been considerable activity in the EU to tighten up the EU Weapons Directive, instigated by the Directorate General HOME within the EU Commission. This was reported on in detail in our Annual Report for 2014. Against a background of claims that firearms crime would increase, that 'loopholes' in the law enabled the diversion of legally owned firearms and that almost half a million firearms were unaccounted for. DG HOME was proposing:

- New standards on marking and on the bringing of deactivated firearms within the ambit of the Directive
- Common standards on serial numbers
- Better disposal rules
- Action on new technology such as 3D printing
- Action on better police intelligence through improved communication and border controls

The Commission launched a formal evaluation on the Directive and how its provisions have been applied in member states. Shooters and the firearms trade took the line that existing EU legislation was proportionate and the need was for better enforcement. They strongly disputed the accusation that the legal market feeds the illegal market. The proposed controls threatened loss of competitiveness of 20,000 small and medium enterprises in competition with Japanese and US firearms manufacturers. The EU Commission undertook surveys for the evaluation of the 'Firearms Directive' and the BSSC had prepared a detailed response on behalf of UK shooting organisations and the Secretary had been interviewed in detail. The EU was putting increased emphasis on high deactivation standards and procedures to preclude reactivation and proposed some form of licensing or record keeping of deactivated firearms. The use of firearms by under-18s and secure storage and transportation continued to be issues. FACE had successfully worked to create a new hunting 'Intergroup' (the equivalent of an All Party Committee). UKIP had become the largest UK party in Brussels and had shown positive interest in hunting issues. Lord Hill, the UK Commissioner, has been briefed on firearms issues by the Countryside Alliance. Within the EU there was talk of a 'common approach' (i.e. greater convergence of national legislations) and 'a more balanced approach between the internal market and security policies objectives' (the present Directive was intended to facilitate the internal market, so this suggested that more weight would be given to security).

In 2015 the report from DG GROW (dealing with the internal market) 'Evaluation of the Firearms Directive' found much that was good about the impact of the Directive. One repeated comment at a time preceding terrorist shootings in France and Belgium was that firearms crime within the EC was not that much of a problem. Improvements could be made by clarifying marking requirements. There was a wish to enhance the transparency and accessibility of national legislation (and a clear wish to achieve greater harmonisation of national legislations within the EU) and to agree the classification of hunting arms and sport shooting (target shooting) firearms to make the European Firearms Pass (seen as a success) even easier to use. Unresolved matters included the definition of 'broker' and what to do about semi-automatic firearms that are convertible to fully automatic fire. Other aims were to achieve common criteria on the convertibility of blank firers and particularly on deactivation standards. DG HOME and DG GROW reached an agreement for a review of the Firearms Directive, with priority given to a new Regulation on deactivation. Their joint proposal was intended to be presented to the EU Parliament in the first quarter of 2016. The involvement of DG GROW was a positive factor as it tended to balance DG HOME's more crime-orientated viewpoint.

Following the second wave of terrorist shootings on the 13th November the relatively positive mood towards the Directive within the Commission was replaced by an intention to put in place as quickly as possible some severe additional restrictions. Initially the aim was to put measures to the European Parliament in early February 2016. There was much lobbying of MEPs who sit on the Internal Market and Consumer Protection Committee (IMCO), which

first considered the proposals, and discussions with the Home Office, which represents the Government in negotiations with the Commission. The main proposals were: stricter controls on on-line acquisitions (not an issue in Britain); prohibition of semi-automatic firearms that resemble weapons with automatic mechanisms; a ban on possession of deactivated fully automatic and semi-automatic firearms (which would be placed in the Directive's prohibited Category A) by other than authorised museums (but even museums were to be required to have their prohibited weapons deactivated and would not be allowed to add even deactivated examples to their collections); certificates to acquire and possess firearms would be restricted to a maximum five years duration and sound moderators would be controlled as an 'essential component' (Article 1 (a) 1b); a standard medical test; maintaining of records until the firearm is destroyed; an 'agreed approach' to the classification of hunting and sport firearms and more marking and tracing requirements. The proposals would probably also require that British dealers' registers be not only computerised but linked to the NFLMS or its successor, and that deactivated firearms may be subject to some level of registration, again presumably on NFLMS. These proposals would place a major strain on a ageing system. Also anticipated was a ban on the acquisition of firearms by under-18s. The Commission had clearly hoped that revulsion engendered by the recent shootings in Paris and Brussels (in which AK47 type weapons were used, some being converted 'acoustic blank firers') would make such draconian proposals more acceptable, but early signs indicate some degree of scepticism among Member States and MEPs. The ESSF (European Shooting Sports Forum, which comprises the European Association of the Civil Commerce of Weapons (AECAC), the Association of European Sporting Ammunition Manufacturers (AFEMS), the European Shooting Sports Council (ESSC), the Association of European Manufacturers of Sporting Firearms (ESFAM), the Federation of Associations for Hunting and Conservation of the EU (FACE), the Foundation for European Societies of Arms Collectors (FESAC) and the Institut Européen des Armes de Chasse et de Sport (IEACS) announced its intention to prepare a common position paper in the New Year. The BSSC was asked to attend a meeting with the Home Office in January 2016 to discuss technical issues arising from the proposals.

FACE UK:

BSSC is a member of FACE UK (Federation of Associations for Hunting and Conservation of the European Union, UK branch) which functions both as a source of information about shooting-related matters in Europe and also as a means for the BSSC to exercise influence at EU level, where FACE functions as a powerful lobby group. A meeting of FACE UK was held on the 24th March. Among subjects discussed were the creation of the EU Parliamentary 'Intergroup Biodiversity, Hunting, Countryside' (much like an All-Party Group at Westminster), the EU Weapons Directive, the EU Birds Directive, invasive alien species and heather burning. At the Convention on the Conservation of Migratory Species of Wild Animals (CMS COP11) in Quito a motion initiated by UK conservation organisations which sought an immediate ban on lead in ammunition (not just shot and not just for hunting) was changed after a successful intervention from FACE and CIC (the International Council for Game and Wildlife Conservation) but could lead to pressure for a 'gradual phase-out'.

FACE has been involved with a meeting on wildlife crime of the Intergroup. It has also been involved in other EU meetings regarding animal health and over population and the contribution of hunting in monitoring disease and species control. Hunting is generally accepted as having a beneficial role.

A second FACE UK meeting took place on the 13th October. Subjects included the EU Firearms Directive, the HMIC Report on the efficiency of firearms licensing offices, the Law Commission's scoping project, the FACE Research Fund, the review of the Birds Directive, problems relating to alien species, the conservation of heather moorland, meetings with MEPs in Brussels and the possible referral of the use of lead shot to REACH.

Graham Downing (CA) and Matt Perring (BASC) are both members of FACE's Firearms Experts Group, to which the Secretary occasionally contributes.

Firearms fees:

During April 2014 the BSSC had been much involved in discussions with the Home Office on a revised structure for certificate fees, which had not risen since 2001. They would be based on inflation and the evolving eCommerce computerised system being developed for a range of police activities, including firearms licensing. Following pressure by shooting organisations for the Government to adopt the scale of fees agreed between the BSSC and the Home Office and the short consultation period at the end of 2014, a firearms licensing fees order was laid before Parliament on the 12th March 2015. The order brought the new fees into effect from 6th April. The settlement was fair, since there had been no increase in fees since 2001. Earlier calls for the fees to rise to £109 or more for a firearm certificate had been strongly resisted by shooting organisations. The new fees scale originated from discussions with the Home Office, BASC, the BSSC, the Gun Trade Association and the police and had been reached following a rigorous process informed by evidence, Treasury guidelines, the principles of better regulation and the improvements in efficiency to be achieved by computerisation. The fee for a grant of a firearm certificate went up from £50 to £88 and renewal from £40 to £62, while the grant of a shotgun certificate went up from £50 to £79.50 and renewal from £40 to £49. Some fees, for instance for the variation of a firearm certificate, actually went down from £26 to £20. The Home Office indicated that there would be a further review of firearms fees in 2016.

Firearms in Scotland:

The Air Weapons and Licensing (Scotland) Bill had been announced on the 14th May 2014 and continue to be a major issue for the shooting organisations in 2014 and 2015. The main points of the Bill, as drafted, relating to air weapons were: it applied to air weapons only in the power range 1 joule to 12 ft lbs.(i.e. not 'specially dangerous'); the duration of the certificate would be for 5 years, a 'verifier'(a referee) would be required for the application for a certificate; 18 years of age was mandated for purchase of an air weapon, but those aged 14-17 could hire, borrow or use one (but not for hunting for sport); there would be a 'good reason' requirement and visitor's permits. There would be special conditions for 'clubs' and 'events'. There would be both statutory conditions and the opportunity for the Chief Constable to apply additional conditions 'as required'. Those already holding firearm and/or shotgun certificates would be accepted as being 'fit persons', and would not need to apply for an air weapon certificate, for possession and use, for the life of their present Firearm Certificate or Shotgun Certificate, but would still need to apply for an air weapon certificate should they wish to acquire one or when their firearm or shotgun certificate expired. Individual air weapons would not be listed on the certificate. There would be security requirements.

Subsection (2) of the Bill provided that an air weapon certificate would remain valid beyond its stated expiry date, provided that the holder had applied to the Chief Constable for a renewal before that expiry date and the Chief Constable had not yet approved or rejected that renewal. The effect of this section would be that the holder would not have to surrender his air weapons immediately on expiry of his certificate. This was a very good proposal.

The Bill was referred to the Scottish Parliament's Local Government and Regeneration Committee for consideration. This Committee investigated 'fitness' to possess an air weapon, ages of those who currently offend with air weapons, accompanying regulations and guidance, the linking of specific air weapons to a certificate, disposal of unwanted air weapons, shooting clubs and coterminous certificates. It also made a public call for evidence, particularly with respect to the following three points:

- In what ways will the creation of an air weapons licensing system in Scotland contribute to preserving public order and safety, reducing crime and advancing public health policy?
- Is there sufficient provision, or sufficient capacity to provide, suitable numbers of air weapons clubs across all areas of Scotland for use by registered air weapons owners/users?
- How will the air weapons licensing system affect those using air weapons for personal/recreational reasons?

The BSSC, BASC Scotland, the Gun Trade Association and the Scottish Air Rifle and Pistol Association had all submitted further comments on the Bill and were 'witnesses' (i.e. gave oral evidence) at the Local Government and Regeneration Committee meeting on the 19th November 2014. They explained that the Bill would serve little practical purpose and air gun crime was anyway continuing to fall. They supported education as an alternative to licensing, raised the issue of fee levels, explained the importance of informal target shooting, pointed out the lack of an air weapon club structure and discussed security, trade issues and lethality.

The Law Society of Scotland and the Scottish Police Federation had also submitted adverse comments on the Bill.

The Scottish Parliament's Finance Committee met to consider the Air Weapons Bill on the 4th February 2015 and the Convener, Kenneth Gibson (SNP) gave the Scottish Government quite a hard time. Mr Gibson clearly believed some compensation would be more effective in getting air weapons off the streets. He queried the Government estimate that 98% of applicants "will be dealt with without need for further enquiry", since the Scottish Air Rifle and Pistol Association had suggested half would want to shoot targets informally in their gardens. The 98% figure had been reached with Police Scotland. It was anticipated that 60-65,000 applicants would already have firearm or shotgun certificates and for the rest a check on the applicant's 'basic criminal history' would suffice, so only 2% would require a home visit and a security check. The Convener noted that more than 2% of Scots had criminal records, so thought such a low figure to be odd, and commented that '...the folk you are most worried about will just not bother paying £85...surely all you will do is impact adversely on shooting clubs and their members.' The Convener noted also that, on the Government's figures 94-98% of air weapon owners would not bother to get a licence. If SARPA's figures were used, only 30% would apply. The cost would be millions: how would the Bill deliver in terms of enhanced and improved safety when only a small minority would be getting

licensed? He noted anomalies regarding enforcement costs and the lack of financial provision for appeals.

The Stage 1 debate on the Air Weapons and Licensing (Scotland) Bill took place on Thursday 23rd April. The Bill progressed to the Stage 2 debate (the amendment stage) on the 13th May, the earliest possible date. The Bill was amended to allow 14-17 year-olds to shoot live quarry on private land; with regard to 14-17 year-olds controlling vermin, it would not be restricted to those undertaking control for financial reward; proposed conditions would allow young persons to practice and train for competition shooting away from an approved air weapons club; there would be a sliding scale of fees for young persons' certificates so they would not be out of pocket when their certificate expired on their 18th birthday (at which point a new one would be granted to allow acquisitions and ownership); certificate holders would not, in every case, be required to have a gun cabinet; and the requirement for notification of loss or theft of an air weapon would be 'as soon as is reasonably practicable' rather than 'immediate'. English and Welsh residents would be allowed to acquire an air weapon in Scotland, but it would have to be delivered to an English or Welsh registered firearms dealer. While these were useful amendments, attempts to remove 'good reason' were unsuccessful. The Bill was passed into law on the 25th June. The final vote was 92 votes for the Bill, 17 votes against the Bill, and no abstentions. The Air Weapons and Licensing (Scotland) Act's commencement date was the 1st December 2015. Secondary legislation to implement the Act was not anticipated to be in place until late 2016, however.

Health & Safety Executive:

Following the three meetings with the HSE in 2013, concerning the Executive's review of Explosives Regulations, further meetings were held on the 18th February, attended also by police, re-enactment and caving interests, and 15th May 2014. These were very useful and productive, but work remained to be done in 2015 on completion of the 'Sub-sector specific' guidance being prepared by BASC, BSSC and other shooting and gun trade associations. This would cover recreational use (including re-enactment and caving) and the retail gun trade. The guidance draft was almost completed by the end of 2015 and was expected to be published in 2016.

Her Majesty's Inspectorate of Constabulary:

Her Majesty's Inspectorate of Constabulary is an independent body representing the public. The 2015 Firearms Licensing Inspection was carried out at the request of NPCC, *via* the Home Office. It had been established that the risks identified in the IPCC and Home Affairs Select Committee reports on firearms licensing had not been removed and these, together with inconsistent working practices, raised significant concerns about the efficiency and effectiveness of police management of firearms licensing. The External Reference Group for this inspection includes representatives of FELWG, BASC, the BMA, BSSC, the Gun Control Network, Home Office, NABIS and the National Gamekeepers Organisation. At an initial meeting on the 29th January issues discussed were: the cost of licensing, the 'bulge', surveys of some certificate holders and possibly other interest groups and the use of intelligence. A second meeting of the group took place on the 22nd April. Among issues addressed were: discussions with Coroners and victims' families, domestic abuse, GP involvement in licensing, the use of the National Decision Model, input to the licensing process from partners, revocations and 'good reason'. A third was held on the 25th August at which the group was briefed by Steve Otter, Her Majesty's Inspector of Constabulary, on the

HMIC's findings, which included, controversially, a proposal that licensing must not take place without a current medical report from the applicant's GP, to which shooting organisations strongly objected, and that the police are notified of any relevant changes of medical circumstances. Inconsistency of practice was a key theme in the report's findings, along with wide disparities in the time taken to process applications.

The HMIC recommended that clearer and more authoritative guidance must be put in place properly to protect the public. This included definitive guidance on contacting referees and on the police's obligations around visiting prospective and current licence holders to inspect how the firearms and ammunition are stored. Additionally it recommended that the police must be given a legal right of entry to an applicant's premises.

Home Office 'Guide on Firearms Licensing Law':

The old hard copy Home Office 'Guidance' of 2002 had been superseded by an on-line publication titled 'Guide on Firearms Licensing Law October 2013'. The 'Guide' is a consensus document which is invaluable for the facilitation of every-day activities involving the use, trade in and licensing of firearms. Being on-line it is much easier to revise and a programme of further review began in 2014, a major co-operative activity between the Home Office, the police and the shooting organisations. In March 2015 the Home Office published the texts of the recently-reviewed chapters 6 (Exemptions from the requirement to hold a certificate), 10 (Firearm certificate procedure), 12 (Assessing suitability), 18 (Rifle and muzzle-loading pistol clubs) and 28 (Import and export of firearms) and appendices 3 (Conditions for firearm certificates) and 5 (Antique Firearms-obsolete calibres). Of particular interest with regard to approved clubs was the naming on the approval of a designated responsible officer in addition to the Secretary of an approved club. This change is to ensure that the club can continue to function in the event that the Secretary is unable to perform his duties. There is also the welcome addition to appendix 5 of a schedule of antique airguns prepared by Bill Harriman (BASC). A further round of reviews is planned for 2016.

Home Office Medical Evidence Working Group (MEWG):

Another long running issue has concerned the role of General Practitioners in the firearms licensing process. This has arisen after it became clear that in some instances of serious misuse of legally-possessed firearms, the certificate holder had had significant health problems unknown to the police. During 2014 pilot schemes involving GPs surgeries were running in Durham, Essex and Wiltshire. There were discussions about the development of a national protocol for GPs to follow and the discreet marking of GP records as a reminder that the patient was a certificate holder.

A further meeting took place on 21st January 2015. The progress of the various pilot schemes was discussed and agreement reached on the outline of a procedure that would include the sending of a letter of enquiry to the GP of every applicant for the grant or renewal of a firearm certificate or shotgun certificate. The nature of liaison between Firearms Licensing Offices and GPs continued to be determined at force level, with a resultant wide variety of practices. Other topics included risk assessment, remuneration for GPs, security of National Health records and inconsistencies between the wording on application forms and the Home Office 'Guide on Firearms Licensing'.

The group met again on the 27th April. Ministers had given the go-ahead in principle to greater GP involvement in firearms licensing. Work was now under way on guidance but it was likely that implementation would be further delayed because of computer-related problems and issues over fees for GPs' services. Shooting organisations pressed for a recommended fee. A further meeting was postponed to the 28th January 2016.

Law Commission:

The Law Commission began a review of firearms legislation in September 2014. Professor David Ormerod QC, one of the Law Commissioners, anticipated twelve months of intense dialogue with stakeholders. In his view firearms law did not function as well as it might and it was in the 'top three' of pieces of criminal legislation in need of reform. Prosecutors required specialist advice even to decide on prosecution, and the Act needed the support of a group of 'sub-legislative' documents to function. The intention was to focus on modifying and simplifying firearms offences and achieving clear definitions of relevant terms, including 'antique'. It was noted that the EU was also undertaking a review of weapons legislation. The Law Commission's review had Ministerial support as a scoping exercise, but Ministers had not wished to commit a new government to legislating. On the 23rd December 2014 the BSSC had submitted to the Commission a 27 page paper covering proposed changes to the Firearms Act 1968.

A meeting took place on the 3rd February. It was explained that the Home Office had commissioned a 'scoping' exercise only with the production of a consultation paper scheduled for the summer of 2015. This might lead to a 'whole codification process' which would work towards a process of wider legal reform. At the initial stage, the Law Commission would not be looking at licensing issues. On the 14th May Professor Ormerod and his staff addressed the Technical & Research Committee, Discussion was mainly focused on antique firearms and how to define them.

The Law Commission held a symposium on firearms law on the 8th September 2015 as part of their scoping project on the reform of firearms legislation. About 87 people attended from shooting and collecting organisations, the Home Office, the police, forensic providers, re-enactors, the Gun Control Network and the legal profession. While many issues of interest to shooters and collectors, such as 'banding' and extended certificate life, could be addressed if a decision was taken to codify (i.e. rewrite) the law, the symposium was mainly about the Law Commission's immediate definitional concerns: lethality, component parts, deactivated firearms, readily convertible imitation firearms, and antiques. BSSC speakers were John Batley (GTA lethality), Bill Harriman (BASC Component parts and antiques) and Derek Stimpson (HBSA antiques) A final session included a presentation on 'occupier' from Graham Downing (CA) and film, television and theatrical use of firearms from the Secretary.

The Law Commission published its report on 'Firearms Law-Reforms to Address Pressing Problems' on the 16th December. In the medium term it recommended 'codification' (i.e. a complete re-write of the firearms legislation, incorporating improvements), a concept worthy of strong support, and also a number of 'quick fixes' to address what are perceived as immediate and pressing problems. These are the definition of an antique firearm, lethality, component parts, deactivation and convertible imitation firearms. With regard to antiques, the Commission recommended that the present approach of defining by ignition system or, in the case of centre-fire arms, an updated obsolete cartridge list, should be placed on a statutory

basis, with provision for adding to (but also removing from) the obsolete cartridge list. For the definition of 'lethality' a 1 joule kinetic energy threshold was proposed, with a higher threshold for airsoft imitations. With regard to component parts it is proposed that these be defined as the barrel, chamber, cylinder, frame, body, receivers, breechblock, bolt or other mechanism for containing the charge at the rear of the chamber. It is proposed that a deactivated firearm should be one that has been deactivated to a Home Office approved standard or a firearm deactivated to the new EU standard when this came into force in April 2016. An existing deactivation would in the Commission's view have to be brought up to the new EU standard if it is to be offered for sale or otherwise transferred or to be moved from one member state to another. All these proposals would have to be considered in the light of any changes in the EU Firearms Directive, currently under review. It is also understood that the Home Office is in discussion with the Law Commission about codification.

Metropolitan Police:

The Metropolitan Police Firearms Licensing Office has recently taken the step of establishing an Independent Advisory Group. This, in addition to the Met, is formed of various national organisations representing the many aspects of shooting, including BSSC. The two meetings so far held have demonstrated it to be a most useful means of information exchange and consultation, and, as intended, free of the constraints of formality.

New Member of Council:

The Council was delighted to welcome a new member, the Historical Breechloading Smallarms Association, which was elected on the 17th March 2015. Founded 43 years ago, the HBSA is the main UK organisation for the collection, study and research into, coupled with the shooting of, historic breechloading arms from the 18th century onwards.

Northern Ireland Justice Department:

As part of the next round of consultations on the Justice No.2 Bill, which introduces changes to firearms controls in Northern Ireland, the BSSC has strongly reasserted its view that the proposed age of 12 at which young shooters could begin to use shotguns or air weapons under supervision was too high, and suggested that a starting age of 10 would improve the chances of success in the Olympic and Commonwealth Games. The BSSC also strongly supported the proposed 'banding' system (also known as licensing by category), which should significantly reduce the administrative burden for the police, make firearms acquisition more straightforward for the shooter and help the gun trade.

National Police Chiefs' Council:

As part of the NPCC's initiative to raise shooter awareness about security, there were a number of unannounced home visits to certificate holders in 2014 and early in 2015. Such visits were 'intelligence led', not random, and appeared to have generated little in the way of complaint. BASC and the National Crime Agency have launched a 'Protect your Firearm Protect your Sport' campaign on BASC's website.

Work towards the proposed dedicated hotline to enable and encourage family and friends of certificate holders whose conduct was causing them concern to get advice or contact the authorities lay in abeyance for much of 2015. It was picked up again in November when the

BSSC, BASC, the CA and the NGO were given the opportunity to comment on draft publicity material for the Firearms Safety Line. This clearly required much additional work and the shooting organizations provided detailed textual criticism and more suitable illustrations. Work was expected to continue in 2016.

NPCC Criminal Use of Firearms Themed National Independent Advisory Group (TNIAG):

A meeting was held on the 18th February. Agenda items included the recent terrorist shootings in Europe, the Law Commission review of firearms legislation and guns and young people. At the 30th June meeting agenda items included CUF's work plan, the outcomes of Operation Magpie (the recent national surrender programme for illegal and unwanted firearms), how legally-held firearms can cross over into criminal use, recent Court of Appeal judgements and recent media programmes concerned with criminal use of firearms. The meeting held on the 24th November discussed the impact on the UK of the terrorist attacks in Paris. UK police and intelligence agencies had been assisting where possible. The Criminal Use of Firearms portfolio's Strategic Action Plan was to be revised to focus more on the smuggling of firearms. The Metropolitan Police 'Hand-in' had begun on the 24th November, with a focus on BB guns, replicas and air weapons. Scotland would begin a hand-in in April. There was a presentation on the work of EMPACT, the Europol-led illegal firearms project. The EU had not perceived illegal firearms as sufficient of a threat to be included in the Operational Action Plan in 2010, but they had now become second priority. NABIS has been increasingly involved in European activity, particularly mentoring in the Western Balkans, and in highlighting the value of combining ballistics intelligence and criminal intelligence. There are major ongoing projects on the parcel post and on smuggling on RoRo ferries. Converted blank firers are becoming an EU-wide problem.

NPCC Firearms & Explosives Licensing Working Group and the Practitioners' Group:

The Practitioners Group enables representatives of the NPCC's Firearms & Explosives Licensing Working Group (FELWG), BSSC and the Home Office to meet twice a year to discuss matters relating to firearms licensing. These allow stakeholder contributions to be fed into FELWG's deliberations and much beneficial fine tuning is achieved by exchanges of views in the Practitioners' Group.

The Group met at the National Shooting Centre at Bisley on the 2nd June. Among items discussed were the annual review of the firearms fees, the Home Office 'Guide' and how best to flag up changes to the text, the continuing role of FELWG and the work of the strategic level 'Firearms Licensing Strategic Leaders' Group' established in 2012 to deal with policy issues such as training, the impact of court decisions and domestic abuse. Other Practitioners' Group agenda items included the Law Commission study, the inspection of firearms licensing by Her Majesty's Inspectorate of Constabulary, medical reporting, Visitors' Permits, the updating of the Home Office Firearms Security Guide and the Arms Trade Treaty.

The second meeting of the year was held on the 2nd December. Besides the EU Directive, the HMIC inspection and the Law Commission, its agenda included risk management, the Home Office Firearms Security Guide and Police Scotland.

NPCC Terrorism and Allied Matters ‘Solitaire’:

The ‘Solitaire’ programme, into which BSSC and other associations had had initial input, was designed to raise dealers’ and Home Office Approved Rifle Clubs’ awareness of potential extremist or terrorist threats. It continued to be made available insofar as limited resources allowed during 2015. Briefings continue, with ones in Nottinghamshire, Hertfordshire, Bedfordshire and Cambridgeshire. It is understood that consideration had been given to developing a much shorter version of Solitaire, which could be ‘cloud’ or internet based. Terrorist events in Paris, however, may cause a further reappraisal.

Standing Conference on Countryside Sports and Management:

The 74th meeting was held on the 28th May. Subjects discussed included the EU Birds and Habitat Directive, lead shot, invasive alien species and hunting with hounds. With regard to devolving further powers to the Scottish Parliament, it was noted that the Smith Commission had not included firearms legislation as part of the proposed further devolution package.

The 75th Meeting’s main themes were rural crime and uplands land use. With regard to the ‘refit’ of the Birds and Habitat Directive, there would be a report in early 2016 and FACE UK would be highlighting moorland issues. FACE would be holding a reception for MEPs in January 2016. The All Party Committee for Shooting and Conservation had been reconstituted. The SNP had decided to review hunting with hounds in Scotland. The proposed wildlife Bill would consolidate the law, clarifying which species are protected and under which legislation: EU or national.

Chief Constable Simon Prince of Dyfed Powys Police spoke on rural crime and the work of the UK-wide National Wildlife Crime Unit, with 11 staff, which also works at an international level. Its priorities were: poaching, badger persecution, bats, trade in endangered species, mussels and raptors. It had had success over hare coursing. The illegal trade in endangered species was a serious criminal activity with Heathrow a major hub. More broadly rural crime was centred on theft, poaching and misuse of diesel. 30% of police funding is based on population density, so rural forces lose out.

UN Control Action on Small Arms (CASA) International Small Arms Control Standard (ISACS) project:

After nearly three years the UN Control Action on Small Arms (CASA) International Small Arms Control Standard (ISACS) module 03.30 on ‘National regulation of civilian access to small arms and light weapons’ has been published. It is one of the most contentious of the ISACS modules as it presents a very bureaucratic approach to civilian licensing. The Secretary had had considerable involvement in the drafting of this module, which proposes a system that remains somewhat complex and potentially expensive, but at least is much more practicable than hitherto. Less is being mandated and more is left to national authorities. Importantly, the introduction contains the statement that:

‘It is estimated that three-quarters of all small arms in the world are in civilian hands. Mostly they are used for legal purposes such as hunting and sport shooting. Small arms can be everyday working tools for civilians involved in activities such as

subsistence or professional hunting, agriculture, forestry and species management. Globally speaking, the responsible, legal use of small arms by civilians far outweighs their irresponsible and illegal misuse.'

This at least acknowledges the extent and legitimacy of civilian firearms use.

World Forum on Shooting Activities (WFSA):

The Secretary, who is a member of WFSA's Executive Committee, attended the World Forum's Executive Committee meeting and Plenary Session in Nuremberg on the 4th and 5th March. Issues discussed included the UN Arms Trade Treaty, a recent 'smart gun' symposium, the EU Firearms Directive, national developments in legislation, trends in the production of and distribution of civilian firearms, the UN CASA ISACS project, the ivory ban and lead in ammunition.

There were reports on meetings on the implementation of the UN Arms Trade Treaty were held in Mexico City, Berlin and Trinidad & Tobago. Control Arms, based in New York, had been attempting to establish itself as the leading NGO in the ATT field and had tried to keep other NGOs (both pro and anti gun) and the arms industry out of any discussion. Canada and the US State Department had taken strong exception to this tactic. Germany had also been very supportive of the civilian shooter. The next ATT pre-meeting took place in Geneva in June. Issues were: ambiguous wording in the ATT, definition of what is a 'national register' of small arms and light weapons and what constitutes 'gender-based violence'. International travel with personal firearms may also become an issue. It is anticipated that the Secretariat will work towards a legally binding ATT protocol like the Vienna Firearms Protocol.

Themes from around the world were: lead in ammunition, health certification for applicants for firearms licences, micro-marking of ammunition and, in Europe, the creation of national data bases. In Germany the combining of *lander* firearms records indicated that there were c. 4.5million legal firearms (the estimate for illegal arms is c. 20 million). US industry reported that 24% of shooters in the USA were women.

At the open WFSA Plenary Session the theme was 'Arguing our case internationally'. Former US Ambassador to the UN John Bolton spoke on the potential ways in which the Arms Trade Treaty could have a major impact on domestic legislation, particularly in the USA. The Shooting Ambassador's Award for 2015 was made to Veronique Mathieu Houillon, a French MEP and member of the Radical Party (liberal) who is a very keen hunter. This was followed by a panel discussion on 'An Overview of International Threat to Lead' centred on the Conservation of Migratory Species Conference in Quito and a panel on the UN Arms Trade Treaty.

An Arms Trade Treaty 'Informal Preparatory Meeting for the First Conference of State Parties, April 20-21', was held in Port au Prince to work out rules and procedures for the First Conference of State Parties to the ATT. It considered finances, the conduct of elections, the need for a President and four Vice-Presidents for the Conference, the conduct of business (relatively good news: NGOs can be appointed to 'subsidiary bodies'), the official languages (six) and the nature of the ATT Secretariat, which will probably be quite small.

World Forum continues to be involved in the process of implementation of the Arms Trade Treaty and the setting up of a Secretariat in Geneva. A South African, Mr SD Dladla, was appointed as Head of Secretariat, initially for one year. Some encouraging news was that consideration was being given on how to deal with the international movement of arms for recreational, cultural, historical and sporting purposes. There was recognition that some states (and the EU) had separate legislation for civilian and military firearms and in certain circumstances permitted civilian imports under simplified procedures. In draft Treaty report formats 'small arms' are divided into 'revolvers and self-loading pistols', 'rifles and carbines', 'submachine guns', 'assault rifles', 'light machine guns' and 'others'. Presumably shotguns would fall under this last category. Clarification on this has been sought from World Forum. Temporary transfers, e.g. for repair or exhibition, are to be taken into account.

A WFSA statement was made by Herbert Keusgen, WFSA President, at the United Nations General Assembly First Committee in New York on the 16th October 2015. The meeting was considering issues relating to the Arms Trade Treaty and the UN Programme of Action on the illicit trade in small arms. The WFSA statement requested that civilian firearms and ammunition should not be a part of the Arms Trade Treaty or the Programme of Action since their international movement was already well controlled. The BSSC had been involved in the drafting.

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