

# BRITISH SHOOTING SPORTS COUNCIL

## ANNUAL REPORT

2012

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Front cover: Musket competition at the Muzzle Loaders' Association Schutzenfest. Image courtesy MLAGB.

## FOREWORD

I am delighted to have been asked to pen a short Foreword to Council's Annual Report in my capacity as Honorary President.

The past year has been extremely busy, and not without its fair share of controversy which is all too usual. The discussions on air weapons in Scotland have rumbled on, with large amounts of evidence being taken from both the BSSC and the GTA. It seems to me that whatever the evidence gathered shows, it will be ignored by the Scottish Government, and they will do as they wish.

The saga continues on the subject of firearms fees; surely, the certificate holder should be paying for their certificate, not for the occasional revocation of a ne'er do well's certificate or for the general running costs of the firearms licensing departments? In these austere times it is not only the Police who must effect cuts and economies, but also individuals who are feeling the pinch. As the Prime Minister tells us "we are all in this together".

We are not absolutely sure about the consequences of the Arms Trade Treaty. Around the world shooting organizations have been lobbying to protect the interests of the civilian shooter who travels across national borders with his firearms, and the legitimate international gun trade in the face of UN intentions to include civilian firearms in a treaty intended to control movement of conventional military weapons. We hope their efforts will be successful.

Finally, I pay tribute to all the hard work put in to the benefit of the BSSC by David Penn. He is a huge asset for us and has our sincere gratitude.

The Earl of Shrewsbury & Talbot DL

## THE COUNCIL'S OFFICERS

|               |   |
|---------------|---|
| PRESIDENT     | The Earl of Shrewsbury & Talbot DL                      |
| CHAIRMAN      | The Lord Glentoran CBE                                  |
| VICE-CHAIRMEN | Martyn Jones<br>Tobias Ellwood MP                       |
| TREASURER     | Graham Downing (to March)<br>Bill Harriman (from March) |
| 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<br>CLAY TARGET SHOOTING GROUNDS    | Andrew Clifton   |
| ASSOCIATION OF PROFESSIONAL<br>SHOOTING INSTRUCTORS            | Chris Miles      |
| BRITISH ASSOCIATION FOR<br>SHOOTING AND CONSERVATION           | Bill Harriman TD |
| COUNTRYSIDE ALLIANCE   | Graham Downing   |
| CLAY PIGEON SHOOTING<br>ASSOCIATION                            | Nick Fellows     |
| GUN TRADE ASSOCIATION  | John Batley      |
| INSTITUTE OF CLAY SHOOTING<br>INSTRUCTORS                      | Malcolm Plant    |
| MUZZLE LOADERS' ASSOCIATION<br>OF GREAT BRITAIN                | Ken Hocking      |
| NATIONAL RIFLE ASSOCIATION                                     | Robin Pizer      |
| NATIONAL SMALLBORE RIFLE<br>ASSOCIATION                        | Ken Nash         |
| SPORTSMAN'S ASSOCIATION<br>OF GREAT BRITAIN & NORTHERN IRELAND | Alan Westlake    |
| UNITED KINGDOM PRACTICAL<br>SHOOTING ASSOCIATION               | Rob Adam         |
| CO-OPTED MEMBER  | Jim McAllister   |
| HONORARY LEGAL ADVISER   | Mark Scoggins    |

## ABBREVIATIONS

|           |   |
|-----------|---|
| ACOP:     | Approved Code of Practice   |
| ACPO:     | Association of Chief Police Officers (England and Wales)                      |
| ACPO TAM: | Association of Chief Police Officers Terrorism and Allied Matters             |
| ANPAM:    | Associazione Nazionale Produttori Armi e Munizioni (Italy)                    |
| ATT:      | Arms Trade Treaty   |
| BASC:     | British Association for Shooting and Conservation                             |
| BMA:      | British Medical Association   |
| CA:       | Countryside Alliance  |
| CASA:     | Coordinating Action on Small Arms (a UN organization)                         |
| CIP:      | Permanent International Commission for Firearms Testing                       |
| COER:     | Control of Explosives Regulations   |
| CUF:      | Criminal Use of Firearms, an ACPO Secretariat                                 |
| DCC:      | Deputy Chief Constable  |
| ECHA:     | European Chemicals Agency   |
| ELO:      | European Landowners Organisation  |
| EU:       | European Union  |
| FACE:     | Federation of Associations for Hunting and Conservation of the European Union |
| FCO:      | Foreign and Commonwealth Office   |
| FELWG:    | Firearms and Explosives Licensing Working Group, an ACPO body                 |
| GP:       | General Practitioner  |
| GTA:      | Gun Trade Association   |
| HASC:     | Home Affairs Select Committee   |
| HSE:      | Health & Safety Executive   |
| ICOM:     | International Council of Museums  |
| ICOMAM:   | Int. Committee of Museums and Collections of Arms and Military History        |
| ISACS:    | UN CASA's International Small Arms Control Standards                          |
| ITOER:    | Identification and Traceability of Explosives Regulations 2010                |
| MAG:      | Manufacturers' Action Group   |
| MEP:      | Member of the European Parliament   |
| MSER:     | Manufacture & Storage of Explosives Regulations                               |
| NaBIS:    | National Ballistics Intelligence Service                                      |
| NGO:      | Non-Governmental Organisation   |
| NPIA:     | National Policing Improvement Agency  |
| REACH:    | EU Registration, Evaluation and Authorisation of Chemicals regulations        |
| RFD:      | Registered Firearms Dealer  |
| RRO:      | Regulatory Reform Order   |
| SFCP:     | Scottish Firearms Consultative Panel  |
| SNP:      | Scottish National Party   |
| SOCA:     | Serious Organised Crime Agency  |
| TNIAG:    | Themed National Independent Advisory Group                                    |
| UN:       | United Nations  |
| UNESCO:   | United Nations Educational, Scientific and Cultural Organization              |
| WFSAs:    | World Forum on Shooting Activities  |

## **Overview of the year:**

Following concentration on domestic affairs during 2011, in the wake of the tragic shootings in Cumbria in 2010, during 2012 the work of the Council focused more on the potential impact on the civilian shooter and the civilian gun trade of the proposed United Nations Arms Trade Treaty. Signs of renewed interest in firearms by the European Union Commission also became evident. Council continued to work on matters relating to the Health & Safety Executive's long-term review of explosives controls, participated vigorously in the work of the Scottish Firearms Consultative Panel and engaged in discussions with ACPO TAM (the Terrorism and Allied Matters unit).

Many of the issues current in 2011 continued on the agenda in 2012 without being brought to a clear-cut conclusion. These included certificate fees, aspects of certificate grant and renewal, revisions to the forms for grant, renewal and variation of Firearm and Shot Gun Certificates and Approved Club criteria and, at national and international levels, lead in ammunition.

The Council has continued its reappraisal of its role and procedures, including a revision of its Constitution which continued into 2013. It has produced a new 17 page illustrated brochure and it launched a new website in December.

## **Association of Chief Police Officers:**

Council continued to work with the police against a background of organizational changes within ACPO. The Criminal Use of Firearms portfolio became a Firearms Threat Reduction Board, one of several such boards within a Threat Reduction Forum. Commander Sue Fish was succeeded as Chair of the ACPO Firearms Threat Reduction Board by Deputy Chief Constable David Thompson (West Midlands) who also holds the 'gangs' portfolio. Another development with potential long-term consequences on the firearms licensing process was Lincolnshire Constabulary's investigation of the possible outsourcing of some aspects of firearms licensing to G4S (the UK's largest commercial security company which already undertakes much custody work for courts and the police).

The Council has been in discussion since June 2012 with the ACPO Terrorism and Allied Matters (TAM) business area. This leads on counter-terrorism and, following the mass killings by Anders Breivik in Norway in 2011, had been tasked with responding to the perceived risks of extremist acts being committed in Britain with licensed firearms and of radicals seeking membership of shooting organisations. Raising awareness among registered firearms dealers and shooting clubs was discussed and practical advice and information was provided.

The Council's main work with the police during 2012 was concerned with proposals relating to fees for the certification process, reported on below.

## **Association of Chief Police Officers Criminal Use of Firearms Themed National Independent Advisory Group (TNIAG):**

John Batley (GTA), Mark Scoggins and the Secretary continued to be actively involved in the work of the TNIAG. A meeting was held on the 7<sup>th</sup> March which neither the Secretary nor John Batley of the Gun Trade Association was able to attend. The agenda included the ACPO/British Medical Association protocol relating to the grant and renewal of certificates, funding and communication issues, changes in the internal organisation of ACPO and the Home Office consultation on proposed changes to the law regarding criminal supply of firearms and illegal importation. A conference call further to consider the supply and importation issues took place on the 4<sup>th</sup> April.

During the year two senior figures in NaBIS (the National Ballistics Intelligence Service), which provides secretarial services for the TNIAG, left the service: Matt Lewis, Head of Knowledge and Communications, departed in July and Detective Chief Superintendent Paul James, Head of NaBIS, retired in October, but was re-appointed to the TNIAG.

The meeting scheduled for the 12<sup>th</sup> September was held by means of a conference call. Dr Derrick Campbell stood down as Chair, following his appointment as an Independent Police Complaints Commissioner, but remained a member of the Group. He had been an outstanding Chairman, with an understanding of the sporting use of firearms and an ability to ensure that a Group representing very different interests worked together. He has been succeeded by Mr Roy Saachi, a long-standing member of the Group.

Following his appointment to NaBIS, Detective Chief Superintendent Kevin Bristow (ex-SOCA (Serious and Organised Crime Agency), ex-Regional Crime Squad and ex-Homicide Working Group) replaced Matt Lewis on the Group. The TNIAG had again been asked to review its terms of reference and objectives, for which an additional meeting was called in October. The TNIAG meeting scheduled for the 12<sup>th</sup> December was postponed to the 15<sup>th</sup> January 2013 to enable the Group to meet DCC David Thompson.

## **Annual General Meeting, Annual Luncheon, Council and Committee meetings:**

The BSSC's Finance and General Purposes Committee met on the 1<sup>st</sup> March to consider membership, income and expenditure and the audited accounts for 2011, where there had been unusually heavy expenditure in the wake of the shootings in Cumbria and on media training for Association representatives. This was followed by a meeting of the Technical & Research Committee, where forward planning and the need to ensure an effective response should there be another major shooting incident were considered. Other business included firearms fees, revision to the Firearms Rules and Scottish devolution.

At the Annual General Meeting on the 29<sup>th</sup> March, The Earl of Shrewsbury & Talbot was re-elected as President, The Lord Glentoran as Chairman, Tobias Ellwood MP and Martyn Jones as Vice-Chairmen and Bill Harriman succeeded Graham Downing as Treasurer. A vote of thanks was given to Graham in appreciation of all he had achieved as Treasurer. Jim McAllister was co-opted onto the Council. The audited accounts for 2011 were adopted, Brittle & Co was re-appointed as auditor for 2012. The AGM was followed by a meeting of Council at which the main items were the progress of the Scotland Bill, the ACPO/British

Medical Association initiative, forward planning and effective response to a major shooting incident.

Our Annual Luncheon was held at the Army & Navy Club after the AGM. Guests of the Council were Nick Herbert, Minister of State for Policing and Criminal Justice, Geoffrey Clifton-Brown MP, Chairman of the All Party Shooting and Conservation Group, Graham Widdecombe, Joint Head of the Firearms Unit at the Home Office and Peter Taylor, the Chairman of the ACPO/BSSC/Home Office Practitioners' Group. Nick Herbert talked about Government intentions regarding firearms. He confirmed that its approach was sensible, proportionate and risk-based. There would be no precipitate announcement on fees, which would be looked at in relation to standards of service. The proposed Regulatory Reform Order, which is endorsed by Council, was under consideration.

An additional meeting of Council was held on the 24<sup>th</sup> April to discuss further how Council and its member Associations could best prepare for and respond to a 'single incident mass killing', such as the Cumbria shootings. This included a very useful presentation by Ian Cameron of Ian Cameron Media & Communications on the growth in, and impact of, social media such as Twitter, and how the media used social networking to identify news stories.

The Technical & Research Committee met on the 17<sup>th</sup> May. Graham Downing (Countryside Alliance) was re-elected unopposed as Chairman. Matters discussed included firearms fees, deactivated firearms, Scottish devolution, firearms licensing outsourcing, BSSC procedural issues, lead issues (reported on below), ACPO issues, the Standing Conference on Countryside Sports and the Council's website.

A scheduled meeting of Council was held on the 21<sup>st</sup> June. Matters discussed included Committee minutes, ACPO-related subjects, Council membership, the Arms Trade Treaty and the preparation of the Council's forward plan.

At the meeting of the Finance & General Purposes Committee on the 13<sup>th</sup> September income and expenditure were reviewed and a draft budget for 2013 was agreed for submission to Council on the 18<sup>th</sup> October. A meeting of the Technical & Research Committee was also held that day. On the agenda were certificate fees, revision of the Firearms Rules, proposals for the revision of the Council's constitution, the draft Forward Plan, Health & Safety Executive issues and the upgrading of the BSSC website.

On the 18<sup>th</sup> October the Council considered the budget for 2013 and the five year forward plan, both of which were approved; ACPO's revised proposals for certificate fees; the continuing discussions with the Home Office on criteria for Approved Clubs; links with FACE UK; the Health & Safety Executive's continuing wide-ranging review of explosives legislation and regulations; proposed amendments to the BSSC's Constitution relating to membership, voting and electronic means of communication; the BSSC website; the Council's Annual Luncheon and WH Smith's relegation of shooting magazines to the 'top shelf'.

A meeting of the Technical & Research Committee was held on the 6<sup>th</sup> December. The agenda included the Home Office Working Group on firearms forms; Scottish legislation on air weapons; further aspects of the updating of the Council's Constitution; ACPO's revised proposals for certificate fees; UN and EU matters and BSSC's response to the latest round of HSE consultation on explosives legislation and regulations.



## **Arms Trade Treaty and other United Nations issues:**

See 'World Forum' below.

## **British Medical Association:**

As reported in 2011, General Practitioner involvement in the firearms licensing process has continued to attract strong support in Government and police circles, while the shooting associations have remained concerned over data security in doctors' surgeries, clarification of what is, and is not, expected of GPs and the cost implications of a process which was to be applied to every person granted a Firearm Certificate or Shot Gun Certificate. Following the meeting at the BMA in December 2011, BASC, which has been leading on this issue, had further discussions in 2012 with the police, Information Commissioner, BMA and General Medical Council, but little progress was made. GP involvement was also discussed at Practitioners Group Meetings.

## **EU legislation:**

It has been estimated that over 90% of UK legislation affecting hunting and shooting originates in the EU.

The EU Commission has released a report on possible revision in 2015 of the EU Directive on Weapons Control. The report was generally supportive of shooters and hunters and reflects the improvement in understanding of the positive role played by hunting in species and habitat preservation achieved by FACE (the European Hunters' Federation) and ELO (the European Landowners Organisation). With regard to gun collectors it confirmed that collectors are outside the scope of the Directive. Of concern, however, has been the intervention in November 2012 by Cecilia Malmström, EU Commissioner for Home Affairs, on the issues of arms trafficking and gun crime. She has suggested, *inter alia*, a review of the types of weapons which should no longer be allowed for civilian use and of the desirability of common guidelines on deactivation standards. It is understood that the EU Commission intends to present a paper in 2014 assessing existing measures to prevent illicit trafficking and to present potential future measures. The BSSC looks forward to contributing to the debate.

## **Health & Safety Executive:**

The HSE announced on the 16<sup>th</sup> November 2010 a wide-ranging Explosives Legislative Review, one of the intentions of which was to reduce bureaucracy. Aspects of this review continued during 2012.

During the period February to April the review was concerned with issues relating to 'shooters' powders', among other things. Much covered industrial and commercial aspects, but there were key issues for shooters concerning the transportation of black powder and a possible definition of 'small arm' for explosives legislation purposes. Representations were made to try and ensure that the definition of small arms includes bore size up to 2 inches to include punt guns and larger bore shotguns. BSSC, BASC, GTA and MLAGB were all

consulted, and particular thanks must go to Dr Sandy Robertson (MLAGB) and Matt Perring (BASC) for making simple a technically rather complex consultation procedure.

The HSE also considered MSER (The Manufacture and Storage of Explosives Regulations 2005), as part of its wide ranging review. This was focused on several areas of relevance to shooters and firearms dealers, specifically concerned with who should be the licensing authority for firearms dealers; clarification of the position of RFDs who also stocked other explosives such as flares and fireworks; the ‘life’ of explosives licenses and clarification of storage requirements for shooters powders. HSE was also reminded that reloading is commonplace and has not created any problems.

The HSE held a meeting with shooting interests on the 9<sup>th</sup> July. Its purpose was to discuss ITOER, the Identification and Traceability of Explosives Regulations 2010. This is complex and lacks clarity, so could benefit from some improvement, but ammunition, primers (including percussion caps) and safety fuse will not have to be individually marked with unique identifiers. Each container of shooters’ powder will have to be marked with an individual identifier, and there will be record-keeping obligations imposed on those handling shooters’ powder commercially. It is understood that there will be no record keeping requirement placed on the home loader or muzzle loader, however.

Also under consideration were the questions firstly as to whether it is better to have a single ACoP (Approved Code of Practice) for the entire body of legislation and Regulations, or to have separate ACoPs to cover different aspects and secondly the means by which the HSE would in future communicate with the explosives industry. BSSC prepared a response on these issues on the 6<sup>th</sup> December and awaits feedback from the HSE.

The HSE has an excellent record for its positive attitude and for prompt addressing and resolution of problems where the shooting community is concerned.

### **Home Office criminal supply of firearms:**

The BSSC responded to the Home Office’s consultation on the creation of heavier sentences for criminal supply of firearms and illegal importation with intent to supply to criminals. The Council does not support mandatory sentences and strongly favours judicial discretion. This is of particular significance where such strict liability legislation is concerned, since it puts a legitimate importer at risk if a minor error in the import procedure is committed. It seems that over 80% of the responses favoured increased sentences for new offences of criminal importation and supply.

### **Home Office deactivated firearms:**

Another long-running issue, deactivation standards and reactivation had remained very much on the agenda in 2011, following the recovery of reactivated firearms in criminal hands in the North-West of England and comments in the Government’s response to the Home Affairs Select Committee’s report on firearms control. While Council, on the evidence available, believed reactivation to be a very minor issue, it was understood that it was still a significant political concern. No specific evidence of the nature and extent of the problem had yet been made available to Council.

## **Home Office firearms fees:**

ACPO's November 2011 fees paper had suggested substantial interim rises (but well below what it estimates to be the current cost of the administration of licensing) and a five year period to get the licensing system fit for purpose. It also repeated the ACPO request for the inclusion in the fee structure of a number of activities currently undertaken at no charge. BSSC submitted its views in detail on the 17<sup>th</sup> February 2012. This response also proposed other changes to the legislation and the way it is administered which would significantly improve efficiency and called into question a number of practices and delays which adversely affect the licensing process.

In July Deputy Chief Constable Andy Marsh, the Chair of ACPO's Firearms and Explosives Licensing Working Group, submitted much revised fees proposals to the Home Office. These revisions set aside full cost recovery for the time being and concentrated on an interim increase in fees that reflected inflation in return for a demonstrable improvement in efficiency, an exception being for 'grant' where there was an additional proposed increase. This paper was significantly less ambitious than its predecessor. It was accepted as a move in the right direction and a potential positive basis for active co-operation by ACPO and BSSC. In November Lord Glentoran and Council representatives met Andy Marsh and his staff to discuss ACPO's revised fees proposals, the improvements in efficiency sought by the Home Office and other issues of concern, including conditions on firearm certificates, the revision of the Home Office's 'Firearms Law Guidance to the Police', certificate renewal, Section 11(6) authorisations for clay pigeon shoots and possible legislative changes, one of which was the Regulatory Reform Order proposed by Andy Marsh's predecessor as Chair of ACPO FELWG. The Council subsequently responded further, raising issues relating to certificate life, the desirability of settling as much as possible within the life of the present Parliament; the need to consider fees as part of the wider issue of improved efficiency and our specific concern over the impact of the high cost of grant on the young and less well off. Discussions with DCC Andy Marsh continued into 2013, but a final decision on any fee increase would lie with the Home Office Minister and the Treasury.

The Council also submitted its views to the Northern Ireland government's consultation on firearms fees, which also covered European Firearms Passes, recognition of British firearm certificates, young shooters and 'banding' (licensing by category). The very substantial proposed increases, particularly for dealers, caused considerable concern.

## **Home Office Firearms Rules:**

In response to the Home Affairs Select Committee's Report, the Home Office Firearms Forms Working Group, which included representatives of BASC and the GTA and the BSSC Secretary, became active again, with a complete change in police representation. It had originally been convened in 2006 and its last meeting had been in 2010. There was positive commitment to the completion of the drafts for a new single application form for both the firearm certificate and the shot gun certificate and a new one page variation application form. Both had been extensively piloted by BASC and were in what should have been their final and much more user friendly form.

Further meetings were on the 22<sup>nd</sup> May and 27<sup>th</sup> September. The Group also considered the way forward for increased use of 'E commerce' (involving a facility for on-line applications for grant, renewal or variation), which should improve administration for both certificate

holders and Firearms Licensing Offices, although a paper-based system was likely to run in parallel for some time. It was clear that budgetary cuts were encouraging considerable police re-evaluation of practices. Progress was slowed, however, when a decision was taken to re-design the forms to allow for optical character recognition, a development that gave cause for concern as it made the forms physically much longer. Much work was being done on further computerisation of the grant/renewal/variation processes but was not completed by the end of the year. These measures were intended radically to improve accuracy and efficiency and would be the basis for the fees increase being sought by ACPO.

### **Home Office ‘Guidance’:**

The Home Office started afresh on updating Guidance after having received more resources, as this revision had formed part of the Government’s response to the Home Affairs Committee’s Report. Drafts were circulated and commented upon by BSSC for the following Chapters: 2 (Definition and classification of firearms and ammunition), 3 (Prohibited weapons), 4 (Expanding ammunition), 5 (Restrictions on the possession, handling and distribution of firearms and ammunition), 7 (Young people), 10 (Firearm Certificate procedure), 11 (Shot Gun Certificate procedure), 13 (Good Reason to Possess a Firearm) 14 (Law on shooting birds and animals), 16 (Procedures for registration of firearms dealers) and 17 (Museum firearms licences). Most of these changes arise from legislation subsequent to 2002, or from re-titling of organisations. Chapter 14 required major re-drafting because of changes in Scotland arising from the Wildlife and Natural Environment Act 2011 and to changes affecting deer shooting in England and Wales.

On the 21<sup>st</sup> December the final versions of the ‘Introduction’ and Chapters 5 and 17 were published on the Home Office’s website. The remainder is scheduled to be published in 2012.

### **Home Office Regulatory Reform Order:**

Nick Herbert, then Minister of State for Policing and Criminal Justice, had advised that he was studying the ACPO proposal for a Regulatory/Legislative Reform Order, which could make some minor but beneficial changes to the 1968 Act, but no announcement was made during 2012.

### **Lead in ammunition:**

The issue of lead in ammunition has taken a new turn in relation to EU legislation. For some years the EU REACH project has been reviewing the use of chemicals in industry. This has included lead in ammunition, a very minor usage compared for instance with its use in batteries. The EU seemed not to have been giving any particular priority to lead in ammunition and the Lead Association International had put in a report jointly with cartridge manufacturers and shooting organisations. However in April, and following a request from Sweden, ECHA (the EU’s Chemicals Agency) contacted FACE (the Federation of Associations for Hunting & Conservation in the EU) with a request (with a very short deadline) for information on the use of lead shot for hunting. Data on use of lead in rifle bullets or for any form of target shooting was not included in the request. FACE (UK) contacted interested organisations including the BSSC and produced a good response based in part on BSSC’s work for the Lead Association International.

ECHA has contracted a UK consultancy to study the cost of phasing out lead in shotgun cartridges and to look at possible alternatives. ECHA is not working on a restriction dossier on this issue, nor has the European Commission requested them to do so. The view is that at present there is no particular political impetus to the lead in ammunition issue in the European Parliament and any attempt to introduce restrictions could take years. Several MEPs were very helpful in seeking clarification of ECHA's involvement, including Timothy Kirkhope, Vicky Ford, Linda McAvan, Edward McMillan-Scott and Robert Sturdy.

DEFRA's Lead Ammunition Group continues its deliberations and continues to study the science.

### **Media training:**

During 2011 as a result of its review of crisis management measures, Council contracted with Media Speak to provide media training for at least one representative from each Association that wished to receive it and for the Secretary. A third course was held on the 1<sup>st</sup> February 2012. These courses have been very successful and additional courses will be held as necessary.

### **National Policing Improvement Agency:**

As the result of an initiative by Nick Gargan, Director of the NPIA and Mike Eveleigh of BASC, a meeting was held on the 14<sup>th</sup> January as part of the NPIA's preparation of a strategic review for the Home Office, looking at ways of improving the firearms licensing system, particularly through the use of technology, during a period of increasing financial stringency. Attending were Chris Miles (APSI), Colin Greenwood (GTA), Graham Downing (CA), John Batley (GTA), Ken Hocking (MLAGB), Ken Nash (NSRA), Mike Eveleigh (BASC), Mike Wells (SAGBNI), Nick Fellows (CPSA), Rob Adam (UKPSA), Robin Pizer (NRA) and the Secretary. Options under consideration included greater co-operation between forces, automation of processes and outsourcing of administrative functions (but not licensing decisions) to commercial companies. Data security was discussed in the context of outsourcing. Concern was expressed about the consequences of a police 'risk averse' mindset. The benefits of 'licensing by category' were raised, as was the possibility of a consolidating Act and the lack of a central body such as the Firearms Consultative Committee. In response to Nick Gargan's request, a list of potential changes to the Firearms Act was subsequently submitted by BSSC. The BSSC received a letter from Mr Gargan in June supporting both ACPO's E commerce initiative and its policy of 'continuous improvement'.

### **Olympic Games:**

Lord Glentoran, himself an Olympic gold medallist and an Olympic Ambassador for the 2012 Games, and the Secretary attended the men's single trap finals at the Royal Artillery Barracks and were greatly impressed by the high standard of shooting, the design and execution of the venue and the helpful and knowledgeable volunteers.

The Council was delighted to hear the excellent news that Peter Wilson who won gold in the Double Trap event, had been awarded an MBE for services to shooting, as had Ian Coley,

Team Manager for British Shooting, for services to target shooting and the 2012 Olympic and Paralympic Games.

### **Peterlee shooting:**

The tragic shootings in Peterlee on New Year's Day were domestic in nature, what is now referred to as a 'family annihilation' shooting. The incident garnered a lot of attention during a quiet news period, in part because of perceived parallels with the shootings in Cumbria. Media interest quickly focused elsewhere following the verdicts in the Stephen Lawrence trial, but may be expected to reappear once the Independent Police Complaints Commission has reported. Local MPs Grahame Morris, Jamie Reed, John Woodcock and Tim Farron have shown considerable concern, as have John Pugh MP and Steve McCabe MP. The focus has been on the storage of firearms and/or ammunition at home and this aspect was raised by speakers in the BBC Radio 'File on 4' programme broadcast on the 6<sup>th</sup> March. Jamie Reed also commented that it was easier to buy bullets than Calpol, which drew robust responses. Grahame Morris, the local MP, continued to press for a review of firearms legislation and Rob Turnbull (the former husband of one of the victims) started a petition for tighter controls and greater consistency in the application of the law. The Government has been awaiting the IPCC report.

### **Practitioners' Group:**

As indicated in last year's Annual Report, the substantial budget cuts being suffered by police forces had impacted on the number of Practitioners Group meetings, which are timed around meetings of ACPO's Firearms & Explosives Licensing Working Group. Both Groups have therefore been reduced to two meetings a year.

The Practitioners Group, at which representatives of ACPO FELWG, BSSC and the Home Office meet to discuss matters relating to firearms licensing, held a meeting on the 8<sup>th</sup> February at Fife Police Headquarters. Terms of Reference were agreed. Subjects considered included the ACPO/British Medical Association initiative regarding the consulting of GPs regarding certificate holders or applicants, 'accompanied' conditions on firearm certificates for neophyte deer stalkers, the use of Section 7 Temporary Permits, shared storage of Section 2 shotguns, outsourcing of police activities to G4S and the Scottish Firearms Consultative Panel. The Secretary and the MLAGB also provided information to Fife Constabulary on musket shooting.

The second meeting of the year was held on the 16<sup>th</sup> August, with DCC Andy Marsh present. Among subjects discussed were certificate renewal backlogs (only eight forces now have significant backlogs), Home Office 'Guidance', 'accompanied' conditions for sporting rifle users, police letters to general practitioners, Approved Club criteria, shared storage of Section 2 shotguns, certificate fees, the impact of changes in explosives controls, the collecting of munitions such as artillery ammunition and grenades and the humane dispatch of animals injured in road traffic accidents.

### **Private Member's Bill:**

Labour MP for Dunfermline and West Fife Thomas Docherty's Private Member's Bill for a change in the law to set a minimum age of 14 years for holding a Shot Gun Certificate

(reported on in last year's Annual Report) failed to make any progress on the 20<sup>th</sup> January and was not re-introduced during the year. BSSC had taken the view that since under existing legislation children below the age of 15 cannot use a shotgun without being under the supervision of someone at least 21 years old and as no problems had arisen from such supervised use there was therefore no good reason to change the law with regard to ages. BSSC also took the view that an amendment to Section 11(5) of the 1968 Act, either by clarifying the meaning of 'occupier' or by substituting 'authorised person', would remove the need for many young people shooting under supervision to hold a shot gun certificate.

### **Royal Mail:**

The Royal Mail went out to consultation with regard to its proposal that movement via letter and parcel postal schemes of all firearms, including guns for sporting use, as well as their component parts, should be prohibited under its terms and conditions. This would include component parts that are not subject to certification. It proposed that Parcelforce Worldwide, which is part of the Royal Mail Group, and other carriers would continue to carry firearms and component parts but only between Registered Firearms Dealers. So far as is known, there has been no problem with such use of the postal service. The BSSC, shooting associations and individuals participated vigorously in the consultation process, which closed on the 17<sup>th</sup> September. The volume of responses was very large and nearly all criticised the proposals.

Royal Mail then undertook further discussions, modified its position and stated that low powered airguns, their components and accessories, imitation firearms, antique firearms and deactivated firearms would continue to be carried in the post. From 14<sup>th</sup> January onwards Royal Mail would also allow the carriage of airgun and airsoft pellets in the post. It was suggested that revised consultation might take place in 2013 on the carriage of shotguns, Section 1 firearms and their component parts.

### **Scotland Act**

As reported last year, the Scotland Bill had passed through its remaining Commons stages on the 21<sup>st</sup> June 2011 with no amendment to Clause 11 covering devolved legislation to control air guns. The Bill's House of Lords Second Reading took place on the 6<sup>th</sup> September 2011 but the Bill did not conclude its report stage in the House of Lords until the 28<sup>th</sup> March 2012. Our President Lord Shrewsbury addressed the air weapons issue in Amendment Three, highlighting some of the complications and costs that he was concerned about if visitor's permits were to be required for air gun use in Scotland. He withdrew the amendment after a short debate, but had ensured that these problems formed part of the Parliamentary record. He concluded: 'The whole issue of devolving legislative power on air weapons to the Scottish Parliament is fraught with problems. The problems are both of an operational aspect and with regard to the potential substantial costs involved. The whole thing is unworkable, it will take an awful lot of working out and it will probably not be. I reserve the right to stand here in a few years' time and do a wonderful and famous "I told you so".' We have much for which to thank Lord Shrewsbury in his efforts to instil some sense into this ill-conceived clause.

The Secretary attended the Scottish Firearms Consultative Panel meetings on the 31<sup>st</sup> January and the 26<sup>th</sup> March along with John Batley of the Gun Trade Association, Colin Shedden Director of BASC Scotland, Graham Ellis of the Scottish Air Rifle & Pistol Association and Alex Boyd of Scottish Target Shooting. BASC, BSSC and the GTA reaffirmed that they did not accept the case for licensing air weapons. Civil Servants were, however, working on the

assumption that a form of air weapon licensing was now a foregone conclusion. Those on the shooting side had been pressing very hard for a light legislative touch with minimal bureaucracy and working to ensure that any licensing system would be as practicable, as proportionate and as fair as circumstances allowed. Particular care was being taken to seek to protect the interests of young shooters.

Following the Scotland Bill's receipt of Royal Assent on the 1<sup>st</sup> May without change to the clause on air weapons, there was much inaccurate local publicity about an air gun 'ban', centred on the parents of Andrew Morton, the child whose death initiated the call for legislation. The shooting organisations on the Scottish Firearms Consultative Panel had presented a soundly-based case for very light touch controls, but it was clear that Kenny MacAskill, the Scottish Cabinet Secretary for Justice, remained determined to seek the devolution of all firearms legislation in the longer term and wished to ensure that only 'legitimate users' would have access to air weapons, to identify and reduce the number of airguns in circulation in Scotland, to reduce access to and use of such weapons in a domestic or urban environment, to ensure that the cost of licensing would fall to the user as far as possible and was of a view that compensation should not be paid. It was confirmed that a formal consultation would take place before the end of the year, however. The fourth meeting of the SFCP took place on the 14<sup>th</sup> August, with Kenny MacAskill present for part of it. There was further discussion of licensing options, of possible provisions for visitors to Scotland wishing to possess or shoot air weapons and about consultation issues. The licensing, or not, of air weapon clubs remained unresolved.

In early December the Scottish Government announced a further substantial drop in air weapon offences from 234 to 195. On the 14<sup>th</sup> December the Scottish Government launched its consultation on licensing air weapons in Scotland. The closing date for responses was the 15<sup>th</sup> March 2013. As anticipated the Scottish Government, with its SNP majority, had not moved from its declared policy of introducing licensing. The core of the proposed legislation was a form of certificate which would license the individual, not the air weapon (many of which have no serial numbers or other markings). It was intended to require 'good reason', and informal target shooting in the garden, the traditional means of introduction to the shooting sports, was not looked upon with favour. Some form of visitor's permit was intended and minimum ages remained an issue.

### **Sir Patrick Lawrence CBE DL**

The Secretary attended the Memorial Service for our former Chairman and President Sir Patrick Lawrence at the Cathedral Church of St Philip, Birmingham on the 20<sup>th</sup> February. About 250 people attended, including our President Lord Shrewsbury, John Batley (Gun Trade Association), Patrick Johnson (former Secretary of the BSSC) and Brian Carter (former BSSC Vice-President).

### **UN CASA ISACS project:**

The United Nations CASA (Coordinating Action on Small Arms) ISACS (International Small Arms Control Standards) is an ambitious project intended to provide guidance on all aspects of the control and management of small arms, including civilian possession. The Secretary is one of over 100 Expert Referees.



During 2012 Phase 2 of the drafting of 'modules' for the ISACS project continued to suffer delays, although early in the year three further versions of modules were received for comment, addressing voluntary collection of small arms and light weapons, design and implementation of community safety programmes and marking and record keeping.

During the spring the Expert Reference Group completed its work on five 'modules'. These covered the tracing of illicit small arms and light weapons, destruction of weapons, border controls and law enforcement co-operation, conducting small arms and light weapons surveys and voluntary collection of small arms and light weapons. These five were launched on the 28<sup>th</sup> August at the UN conference on the Programme of Action to eliminate the illegal international trade in small arms and light weapons.

### **World Forum on Shooting Activities (WESA) and the proposed UN Arms Trade Treaty:**

The Secretary was involved in drafting World Forum statements made both to the UN Arms Trade Treaty Preparatory Committee meeting held in February (in advance of the major ATT conference in July) and to the UN Preparatory Committee held in March in advance of the conference on the programme of action to combat the illicit trade in small arms to be held from the 27<sup>th</sup> August to the 7<sup>th</sup> September.

Throughout the year the Secretary continued to liaise with ICOMAM (International Committee of Museums and Collections of Arms and Military History, a Committee of ICOM, the International Council of Museums, a UNESCO body), which had similar concerns about the impact of an Arms Trade Treaty on heritage arms, and with the Royal Armouries.

The Secretary attended the World Forum meetings in Nuremberg from the 6<sup>th</sup> to the 8<sup>th</sup> of March. These included a strategic planning meeting in advance of its major workshop in Rome during the summer on better public relations communication for hunting organisations. Other major topics discussed at length in committee were progress on UN Arms Trade Treaty issues, on the UN programme of action on illicit trade in small arms, on the need to recruit more member organisations in South America where well-funded gun control organisations were very active and on the continuing debate about the use of lead in ammunition.

National news was mixed. Canada had abandoned its long gun registry and significantly improved its legislation on explosives storage. In the United States a petition to ban lead for hunting had been denied by the Environmental Protection Agency and a hazardous materials fee of \$35 was no longer applied to the transportation of ammunition. Italy had improved its explosives licensing and dropped its national firearms catalogue. There was still talk of tighter firearms controls in Norway, Germany and the Netherlands.

At the public plenary session there were panel presentations on the ATT, the UN Firearms Protocol and the UN Model Law (this is concerned with import and export and is considered satisfactory, having had much input from the shooting/trade side), and on proof procedures (given by Roger Hancox, Proof Master at Birmingham and President of CIP). A video celebrating the 15<sup>th</sup> anniversary of World Forum was shown. The Call to Action was given by Nicola Perrotti, President of ANPAM, on the need to bring younger, more diverse people into the sport and on our natural alliance with the environmental movement.

Ted Rowe (MAG) stood down as President of World Forum, and was succeeded by Dr Vito Genco, hitherto World Forum Executive Secretary for Europe. Herbert Keusgen of Forum Waffnenrecht was elected as Executive Secretary for Europe. Sadly, Vito Genco passed away on the 8<sup>th</sup> June after a brief illness. He had worked tirelessly for over 30 years to protect the interests of the shooting sports and the civilian gun trade and was one of the most knowledgeable and politically astute of our defenders. Vito will be greatly missed.

The World Forum on the Future of Sport Shooting Activities has changed its name to the World Forum on Shooting Activities. 'Sport shooting' has been narrowly interpreted by some as 'target shooting', while World Forum devotes considerable effort to defending and promoting hunting, particularly in the face of pressure on the use of lead.

Meetings were called on the 9<sup>th</sup> May and 21<sup>st</sup> June by the Foreign & Commonwealth Office to discuss possible impacts of the proposed UN Arms Trade Treaty on the civilian gun trade and to discuss requests for exemptions from the ATT for civilian firearms, the temporary export of firearms, antique firearms, museums and the private owner wishing to travel abroad with his firearms. There had been pressure from the British Shooting Sports Council, the National Museum Directors Council, the auction trade, film hire companies, collectors and the gun trade to discuss and if possible resolve their concerns and the Secretary had organised an *ad hoc* group reflecting these interests to undertake lobbying. A single detailed brief covering the aforementioned aspects was prepared and talked through with the FCO on the 9<sup>th</sup> May by the Secretary, the then Master of the Armouries Lieutenant General Jonathon Riley, John Batley of the Gun Trade Association and David Williams of Bonhams. Importantly, the two civil servants who were responsible for conducting the UK's negotiations at the ATT Conference in July were present at the meeting.

The purpose of the 21<sup>st</sup> June meeting was to receive the FCO's response to the briefing paper provided on the 9<sup>th</sup> May and to discuss contact arrangements during the progress of the Treaty discussions during July. Present were Keith Harding, the FCO's Arms Trade Treaty desk officer, Caroline Smith (Head of the Arms Trade Unit), John Batley (GTA), Ken Hocking (MLAGB and Heritage Arms Study Group), Mark Murray-Flutter (Royal Armouries), Tony Watts (Bapty & Co), David Williams (Bonhams, representing the auction houses) and the Secretary.

We were reminded that the Treaty was Coalition policy, but were assured the FCO was aware of the potential problem of unintended consequences and determined to avoid impact on legitimate businesses. On exemptions, the FCO's view was that it could not pre-judge the way discussions would go, but it disliked the concept since 'reasonable' exemptions, such as ours for antiques and temporary exports, might open the door to less desirable demands. The FCO did remain strongly against 'marking and tracing' as an element of the proposed Treaty, a major issue for both the gun trade and the collector. It did see transit controls as a very important element, as did the BSSC and GTA, since these could prove very disruptive to the legitimate trade and to travelling shooters.

There was wide-ranging discussion on the relationship of an ATT to the existing UN Vienna Firearms Protocol, the complexity and affordability of controls, temporary exports and the major potential impact of an inadequately-drafted Treaty on the UK's film and television industry, the support from Canada, Japan, Italy and Spain for some exception for civilian firearms and on the consequences for the Treaty if the US Senate refused to ratify it.

The FCO was alert to the practicability of the ATT, but, as Britain was one of the nations which had proposed and sponsored the ATT, it did not wish to propose exceptions. The FCO did make it clear that it would be making contact as necessary during the month-long Treaty conference in New York.

A debate on the forthcoming ATT took place in the European Parliament on the 12<sup>th</sup> June. The level of knowledge demonstrated was on the whole superficial. BSSC had briefed a UK MEP in detail on the heritage and civilian firearms aspect, but he took no part in the debate. A key point was whether the EU should take an active, unified stance on the ATT. Those who mentioned small arms tended to be strongly in favour of their inclusion in the treaty with one, Maria Eleni Koppa, specifically seeking the inclusion of hunting arms and ammunition. Various speakers expressed concern about the stance of China, Russia, Pakistan and Egypt over small arms. A few speakers such as Andreas Molzer supported the EU's legitimate arms industry and saw the illegal trade as the real problem.

Prior to the July ATT conference, the Secretary contributed a short piece to CQ Global Researcher explaining why civilian firearms should be exempted from the proposed ATT. CQ is a web-based, nonpartisan publication that specializes in international affairs. Sales of this publication are primarily to school and public libraries.

The Arms Trade Treaty negotiations, which occupied almost the entire month of July, ended in failure in that it was not found possible to reach consensus on a draft. The USA, Russia and China, all major arms exporters, declined for various reasons to accept the draft treaty. One major step forward was the inclusion in the preamble to the draft treaty of the paragraph:

*'Taking note of the legitimate trade and use of certain conventional arms for, inter alia, recreational, cultural, historical and sporting activities and lawful ownership where such ownership and use are permitted and protected by law;'*

for which considerable thanks are owed to the Foreign and Commonwealth Office and their Canadian colleagues. Although this was non-operative language which did not provide any specific exclusions from the proposed treaty for antique arms, civilian firearms, museums or temporary exports, it did at least acknowledge the legitimacy of certain civilian activities and the FCO considered the paragraph useful as the UK could point to it when ensuring during national implementation that civilian interests did not get tied unnecessarily into the ATT.

So far as the Programme of Action's Second Review Conference about the illicit trade in small arms held at the UN between the 27<sup>th</sup> August and 7<sup>th</sup> September is concerned, there appear to have been no great surprises. It sought to facilitate the participation of women in small arms policy making; encourage national ratification of the Vienna Firearms Protocol, encourage the establishment of 'a voluntary multi-donor facility to mobilise assistance for implementation', encourage the strengthening of national measures on marking and tracing and provide technical assistance and marking equipment. As predicted it scheduled meetings between now and its third Review Conference in 2018. World Forum was represented throughout the Conference, and presented a statement.

As anticipated, further UN meetings relating to the Arms Trade Treaty took place during the week of the 22<sup>nd</sup> October. GTA, MLAGB and BSSC representatives attended a meeting at the Foreign & Commonwealth Office on the 1<sup>st</sup> October in advance of the New York meeting,

along with representatives of auction houses and museums. We maintained our position with regard to antiques, civilian firearms, museum activities and temporary export/import.

The FCO remained actively committed to achieving an arms trade treaty as soon as was practicable. It considered it has gone a long way in safeguarding civilian shooters and gun trade interests. The treaty remained a draft and further discussions could bring changes for good or ill. If the FCO achieved what it wished we should not be worse off, at least as far as the UK is concerned, although the ATT could result in future difficulties for the trade and private individuals moving their personal firearms as other countries modify their import/export controls to meet treaty requirements.

On the 5<sup>th</sup> November the First Committee of the U.N. General Assembly approved a resolution to convene “the Final United Nations Conference on the Arms Trade Treaty” in New York from the 18<sup>th</sup> to the 28<sup>th</sup> March 2013. This would run for two weeks rather than the one originally envisaged. After the failure of the July ATT conference, 90 nations led by Mexico had stated their desire to secure a Treaty “as soon as possible.” The US had stated that it “strongly supports convening a short UN conference next spring” to negotiate “a workable and implementable ATT.” The EU spoke to similar effect, as did many other nations. The March conference would operate on the basis of consensus, meaning that the US or any other participating nation could block the adoption of a final text. The conference would use the July text as “as the basis for future work.” The use of the July text was “without prejudice to the right of delegations to put forward additional proposals.” This demonstrated that several nations (and Non-Governmental Organisations) strongly disliked the July text. The March 2013 conference was also referred to as “final” which was significant. The Non-Aligned Movement (about 120 countries not aligned with any major power bloc) wanted the ATT to include civilian firearms. The inclusion or exclusion of ammunition remained a major point of dispute. Some NGOs consider the draft under discussed to be deeply flawed, which raised the possibility that, if the March conference could not agree on a text, the treaty’s supporters would, as Ireland put it, “consider other options.” If the negotiations did not produce what the active supporters of the ATT viewed as the correct result, they could negotiate a treaty on their own outside the UN, as had been the case with land mines and cluster munitions.

Peter Woolcott (Australian Permanent Representative to the UN since 2010) was appointed the new President of the ATT Conference. He is a former barrister and is now a career diplomat with a reputation as a skilled negotiator. He has been involved in trans-national crime issues and nuclear non-proliferation issues in the past, but not specifically on small arms related ones.

BSSC awaited the March 2013 ATT Conference with great interest.

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