

The British Shooting Sports Council



QUARTERLY REPORT, JULY-SEPTEMBER 2006

Following comments on the April-June report, the format has been changed to accommodate the needs of editors of Association journals. A stand-alone summary suitable for publication is given in **bold**, with additional detail following, where necessary, for members of Council.

During the Quarter, a politically quiet time with Parliament and the Scottish Parliament in recess, the main activities on which the BSSC has been engaged are as follows:

Amendment of the EC Directive 91/477/EEC on control of the acquisition and possession of weapons.

In order for the EC to comply with the United Nation's anti-crime Vienna Protocol, some minimal changes to the 1991 Directive are required, covering marking and tracing of firearms, illegal manufacture, the period of time for which dealers' registers must be maintained, and deactivation standards, and none of these would much affect the UK. During the quarter it became clear that real pressure was being exerted by some anti-gun Green Members of the European Parliament to open up the debate on the Directive with a view to making it significantly more restrictive. Among changes being suggested are the removal of Category D from the Directive (this is the Category that allows possession of 'single shot long firearms with smooth bore barrels' without a license, subject of course to national law, which could have increased importance should the EC ever impose a restrictive definition on antique firearms), changes to regulations for dealers who deal only in Category C or D arms, compulsory marking on import, the introduction of the concept of 'human security' (which could open the door to continual re-visiting of the operation of the Directive by anti-gun groups) and a compulsory national central firearms register. This pressure is being led by Gisela Kallenbach, the 'Rapporteur' (Secretary, a very influential position) of the European Parliament's Committee on the Internal Market and Consumer Protection, which will be considering the changes. Mrs Kallenbach has called a public mini-hearing on the control of the acquisition and possession of weapons on 4th October at the European Parliament in Brussels. Short presentations will be made by selected experts, three of whom represent pro-shooting organisations, with some of whom David Penn has met or held discussions. A report of the outcome will appear in next Quarter's BSSC Report.

Experts will be Dr Vito Genco, Secretary General of the European Association of Sporting Ammunition Manufacturers (AFEMS); Detective Chief Inspector Paul Savill, Head of Armed Crime Unit, Greater Manchester Police; Ilhan Berkol, Groupe de Recherche et d'Information sur la Paix et la Securite (GRIP); Dr Heinz Gabriel, President of the Permanent International Commission (CIP, the proof house body); Pekka Karhunen (Finnish Hunting Association) and Rebecca Peters (Director of

IANSA). The CIP is recognized at a national level within the EU, and since the 1991 Directive came into force the CIP proof houses have played an important role both in ensuring the proper marking of firearms within the EU and in assisting in the tracing of firearms used in crime. The recognition of the CIP by the EU is an important issue for European firearms and ammunition manufacturers, and we are lobbying hard to achieve this as part of any amendment to the 1991 Directive.

DEFRA consultation document on changes to legislation governing deer management in England and Wales:

The Secretary is preparing a BSSC response to this paper.

Health and Safety Executive.

A new exemption order from fees charged under the Manufacture and Storage of Explosives Regulations 2005 for those keeping the smallest class of store came into force on 1 October 2006. There has been no further discussion on the HSE's intention to issue new guidance on the storage of shooters' powders, and the BSSC is pressing the point that further discussion is of little value until testing of 1 kg plastic containers for black powder has taken place. We await a response from HSE.

The Independent Advisory Group to the ACPO Criminal Use of Firearms Secretariat.

The first full business meeting of this potentially very important IAG will be held on 11th October, at which David Penn, the BSSC's Secretary will be present. A report will be made in next Quarter's BSSC Report.

Meeting with the Home Office Minister.

A meeting with Vernon Coker has been arranged for the end of October, and will be reported on in the next Quarter.

National Shooting Week, 2007.

Strong support is coming in from the shooting organisations, and the Working Group will be reporting after its mid-October meeting. More details in the next Report.

Olympic pistol shooting.

Following an indication by Home Office and Sports Ministers that, in line with an undertaking given during the passage of the Violent Crime Reduction Bill, consideration will be given to enabling training within the UK for the 2012 Olympics, civil servants from the Home Office and the Department of Culture, Media & Sport have begun an assessment of requirements. The Secretary has advised on a number of technical points.

Practitioners meeting.

On 13th July the Secretary chaired a meeting of the Practitioners' Meeting with representative of the ACPO Firearms and Explosives Working Group and the Home Office. Subjects on which satisfactory outcomes were achieved included: pre-certification training, with confirmation that neither the police nor the Home Office were seeking to move towards compulsory formal training for quarry shooters; humane despatch, with the clearing up of misunderstanding over the use of pistols for humane despatch of deer; Section 11(6) exemptions for clay target shooting, with the resolution of confusion over police record keeping requirements. Discussions were commenced or continued on the use of pistol calibre cartridges for fox shooting, obsolete calibres, difficulties experienced by travellers taking sporting firearms into South Africa, firearms forms and difficulties experienced by dealers and shooters within the EC. This last subject centred on requests from EU authorities for letters from UK police forces providing confirmatory information to do with firearm-related or UK shooter-related matters. The Secretary achieved a good resolution of one of these cases outside the meeting, and contributed to the resolution of another. It is anticipated that such enquiries will become more common within the EU, particularly as increasing numbers of UK citizens re-locate elsewhere. The Secretary will be happy to advise in such cases.

Proposed UN Arms Trade Treaty (ATT):

Following the debacle at the UN Conference to Review Progress in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 26 June-7 July 2006, the UN's focus with regard to the control of small arms has shifted to two areas. The first is the UN Human Rights Council (a UN sub-commission) which has adopted a report by Barbara Frey (a long term activist in the arms control field) and a resolution on small arms which, while couched in general terms and endorsing the ongoing work of Ms Frey, will only serve as further encouragement for the move to achieve an Arms Trade Treaty. The second is the ATT itself. The UK and six other countries have sent a letter to all Governments proposing a UN Group of Experts to consider a global Arms Trade Treaty that would establish common international standards for the import, export and transfer of conventional arms. This would be legally binding, and cover all conventional arms, not just small arms and light weapons. The Secretary attended a meeting at the Foreign & Commonwealth Office on 14th September at which the proposed ATT was announced by Dr Kim Howells, the Foreign Minister, and a second meeting at the FCO to discuss concerns, in company with John Batley of the Gun Trade Association and representatives of the Defence Manufacturers Association. The GTA and BSSC stressed the need to take account of legitimate civilian interests when considering the trade in arms, a position re-emphasised in later correspondence between our Chairman Lord Shrewsbury and Dr Howells. The Secretary has been involved in preparing the World Forum's submission to the UN First Committee later in October.

The report and resolution can be seen on the UNHRC's website (UNHRCSmallArmsFrey2006.pdf and UNHRCSmallArmsResolution2006.pdf). Ms Frey's report is based on the assumption that the more firearms there are within a society, the higher the level of violence. While it is little concerned with the shooting sports, its general tenor is unhelpful to our interests.

Points stressed to the FCO about the proposed ATT are: The substantial legitimate international trade in firearms for civilian purposes. The EU is probably the second largest producer of civilian firearms. The ATT should focus on military small arms; the need not to place unnecessary difficulty in the way of sportsmen and women travelling internationally with their personal firearms; and the desirability of avoiding unnecessary control over the movement of antique firearms which are generally accepted as posing no threat to society. Industry has significant concerns regarding secondary marking on import.

If the proposal receives sufficient support at the UN in October, work towards this proposal by a group of international experts could begin some time in 2008, with treaty negotiations in 2009 and a possible treaty being ready for signing and ratification in 2011.

Scottish knife legislation (Custodial Sentences and Weapons (Scotland) Bill):

This Bill will amend the Civic Government (Scotland) Act 1982. It will introduce an annually renewable ‘knife dealer’s license’ for anyone carrying on business as a dealer in knives (other than those designed for domestic use, which includes DIY knives, or pocket knives, *sgian dubhs* and *kirpans* with a blade length of less than 3 inches), knife blades, swords and any other article which has a blade or which is sharply pointed and which is made or adapted for use for causing injury to the person. This will include arrows. The Scottish Ministers may, by order, modify this list. The sale of knives between private individuals will not require a knife license. The manufacture, importation, sale, hire, lending or giving of swords by anyone will be banned, except in relation to antique swords (probably pre-1946) kept as curiosities or ornaments, or in the case of museums, or where the Minister has granted authorisations which may be subject to conditions. These would cover such activities as religion, culture (highland dancing, theatre, film, television, re-enactment and living history) and sport (fencing and those martial arts organised on a recognised sporting basis). There appears to be an intention to allow specialist sword-smiths to continue to operate, but no details are given. An offence would be committed where a person acquiring a sword provides false information, or when a sword was used for a purpose other than that for which it was authorised.

Knife Dealer’s License: The license may be subject to conditions, including conditions on record keeping, storage and display. Scottish Ministers will be given the power to specify minimum conditions which must be included in all licenses, and which may be particular or general, and may differ in relation to different classes of article. Conditions will include a description of the type of sword or non-domestic knife sold; a record of the purchaser and restrictions on display to ensure that they are not visible from the street or entrance to the dealer’s premises. In addition local authorities may specify storage, security and packaging requirements, and may specify the means by which purchaser identity should be established.

Scottish Ministers hope that the legislation will reduce weapons carrying offences (there were over 3,400 in 2004-05, when, out of 137 homicides, 72 were committed with ‘knives’ a term which encompasses other sharp or pointed instruments. Separate data for swords has not been kept) and violence, thereby reducing police, prosecution, court and health service expenditures. Knife crime is alleged to be ‘much more common’ in Scotland than elsewhere in the UK.

This Bill is not well-founded. By excluding domestic and DIY knives it illogically ignores the cheapest, most available and most widely criminally misused types of knives. It will impact most on legitimate users and small businesses. The extreme measures against swords appear to be driven more by political distaste and disapproval than by evidence or frequency of misuse. The wide powers it is intended to give to local authorities with regard to both the conditions attached to the knife dealer’s licence and the fees charged would be a recipe for inconsistency and unreasonableness.

Section 7 firearms:

Dr Michael Seed and the Secretary gave a presentation to the ACPO Firearms and Explosives Licensing Working Group meeting on 14th July. This provided an explanation of the working of Section 7(3) Designated sites and an explanation of how the scheme had developed, particularly as a resource for research on historic pistols. Data on numbers of Section 7(3) holders and pistols provided reassurance to the police that the scheme was being operated in the spirit of the 1997 (Amendment)

Act. On 19th September the Secretary attended a meeting of the Section 7 Designated Sites Managers' Forum at the Bedford site, where discussions centred on the maintenance of safety standards, Section 5 authorities and on the transport of 7(3) pistols when required.

Section 58(2) obsolete calibres list:

Following considerable input from a number of interested individuals, notably Stuart Taylor and Chris Smith, Bill Harriman and the Secretary are in the last stages of drawing up a draft additional list for discussion later this year.

Standing Conference on Countryside Sports:

The Secretary plans to attend the next meeting on 9th November.

UK Working Group on Arms.

No further meeting is planned with this umbrella body of Non-Governmental Organisations working in the arms control field until after the UN's First Committee at its October meeting has considered the UK Government's proposals regarding an Arms Trade Treaty.

Violent Crime Reduction Bill.

This Bill contains measures that will affect young shooters, those who use blank firers, replicas and soft-air guns and the gun trade. There has been little overt activity during the Parliamentary recess, but much discussion behind the scenes. The Conservatives have put down new amendments, including a less than ideal one concerning Olympic pistol shooting, Lord Shrewsbury has continued to press the BSSC's case in regard to the commercial sale of air weapons and the Secretary has been involved in meetings with officials on technical aspects of the implementation of the legislation with regard to air weapons and re-enactments. There have been rumours that the Home Secretary has been considering further Government amendments to ensure some conformity, at least in sentencing, with Scottish initiatives on swords and knives. Royal assent is expected by the beginning of November, and staged implementation is scheduled to begin in January 2007.

World Forum Executive Committee Meeting, Berlin, 28-29 September

The Secretary attended the meetings of the Legislative, Statistics & Research, Environment and Image Sub-Committees, and the Executive Committee. Major concerns were the aforementioned ATT, proposed controls over ammunition, the revision of the 1991 EU Directive on Weapons Control, the development of the WFSA website (on which the Secretary contributed a paper co-authored with Professor Gary Mauser), planning for the General Assembly in 2007 and future environmental symposia. Noise and lead continue to be major issues.

DJP 6/10/2006