

The British Shooting Sports Council



QUARTERLY REPORT, JULY- SEPTEMBER 2007

During the Quarter, the main activities on which the BSSC has been engaged are as follows:

Amendment of the EU Directive 91/477/EEC on control of the acquisition and possession of weapons: (This, along with the proposed UN Arms Trade Treaty, has been the key activity during the Quarter.)

Considerable lobbying has continued by pro-shooting bodies, including the BSSC, and there has been effective co-ordination of hunting, target shooting, collecting and trade interests through the ESSF (European Sports Shooting Forum). The intention has been to achieve a position whereby the European Firearms Pass would be the only document necessary for travel between EU states for hunting or target shooting; strengthen the position of CIP (the international proof authority) as the potential EU authority for marking and tracing; define 'antique' firearms in a sensible way; and protect the ability of under-18s to participate in hunting and target shooting. Some extremely cumbersome proposals on ammunition marking registration have been defeated and efforts continue to remove some potentially very burdensome proposals, where the gun trade is concerned, regarding marking, record keeping and prior notification of cross-border shipments.

The Committee process is now almost over, and, as this is being written, a series of 'Trilogue' meetings is taking place between the Presidency (Portugal), the Commission (civil servants) and the Parliament, represented by Arlene McCarthy, Chair of the IMCO Committee and a UK MEP, to whom I have sent a series of commentaries in anticipation of these discussions. These are intended to achieve an agreed set of Amendments which may be presented to the EU Parliament as a 'done deal'. Trilogue meetings are not public, and their proceedings are not published. They do not seem to have been progressing smoothly, as the Plenary Session of the EU Parliament scheduled to consider the Amendments has been postponed from September to early or mid-November. At the time of writing, we await the next set of draft Amendments. The Presidency seems committed to completing the Parliamentary process within 2007, which probably means that there will be further political compromises, and some issues will be postponed until the Directive is reviewed in five years' time.

Arms Trade Treaty:

The Secretary has attended one day of the informal Workshop hosted by Canada in Geneva during the week of 27th August, during which he had a personal meeting with UK Ambassador John Duncan to discuss specific civilian firearms issues, and a major seminar in London jointly hosted by the Foreign & Commonwealth Office and the Defence Manufacturers Association in London on 14th September. At both the point was made very strongly that the ATT was not intended to affect domestic firearms legislation, but the likely effect on the international trade in civilian arms (or indeed the international movement of firearms by their private owners)

remains much less clear, and we are unlikely to achieve clarity until detailed drafting of the Group of Government Experts' report begins in the latter part of 2008. We will keep up the pressure to avoid civilian and collectors' arms being caught up in controls aimed at modern military small arms and light weapons. Further discussions with the Foreign & Commonwealth Office are anticipated in December.

Auction houses:

The Secretary has kept in close contact with Bonhams, representing the auction trade, on EU issues.

Criminal Justice and Immigration Bill:

So far, this new Bill only proposes to make two minor changes to the 1968 Act, to incorporate references to '...or a youth rehabilitation order within the meaning of Part 1 of the Criminal Justice and Immigration Act 2007'.

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

As anticipated in the last Quarterly Report, .22 centrefires with a muzzle energy of not less than 1,356 joules (1,000 foot pounds) and a soft nosed or hollow nosed bullet not less than 3.24 grammes (50 grains) in weight have been approved for Chinese water Deer and muntjac but NOT for roe deer. It is to be regretted that a complete alignment of practice between English and Scottish legislation on rifles and cartridges suitable for smaller deer species, an outcome strongly supported by BSSC, was not achieved.

Firearms in Scotland:

The Scottish Nationalist Party has announced as part of its 2007-2008 legislative programme that it is to pursue additional firearms legislation for Scotland. Details are not yet available, but there has been telling use of phrases including 'a consolidated Firearms Act designed for Scottish needs and circumstances', 'There has been constructive dialogue between Scottish Ministers and their Westminster counterparts on enabling the Scots Parliament to lay a framework for a consolidated Firearms Act designed for Scottish needs and circumstances', and 'This is an area where we would like to secure progress as soon as possible, as we would wish early legislation, and the response has been understanding and sympathetic'. At present, the debate appears to be in terms of how the Westminster Parliament can facilitate this. Hitherto, it has been our understanding that there was considerable reluctance in the Home Office for any devolution of power to Edinburgh on the firearms issue. Whatever the precise nature of the Scottish Government's intention, this is only an early stage of a political process which could evolve in a number of different ways (not excluding new legislation for both England and Scotland). We would be well advised not to look at this just in terms of air weapons, but more broadly as a firearms issue. The Secretary has been in correspondence with the Home Office, has met with Home Office Civil Servants and is expecting to have a preliminary meeting with representatives of the Scottish Government's Police & Community Safety Directorate and Sports Policy Unit in mid-November.

Game License:

The Game License was abolished on 1st August 2007.

Health and Safety Executive:

There has been no significant contact during the Quarter, although a meeting on amendments to the Control of Explosives Regulations 1991 and the Manufacture and Storage of Explosives Regulations 2005 is anticipated in November. As yet, details of the proposed changes have not been received.

Home Office Consultation Paper on Banning Offensive Weapons:

No response to the consultation process had been received by the end of September. The Secretary has Emailed the Home Office and enquired when a response might be expected.

Home office investigation into violence in the media:

The Home Office has announced a review to be undertaken by Dr Tanya Byron, the results to be submitted in March 2008. The Secretary has sent a response on behalf of the BSSC, which has maintained an interest in this subject since the mid-1990s.

The Independent Advisory Group to the ACPO Criminal Use of Firearms Portfolio:

This Group met on 17th September. The main points of interest were:

The setting up by Jacqui Smith, Home Secretary, of a ministerial task force and a specialist national police unit headed by Jon Murphy, Deputy Chief Constable of Merseyside, following the death of Rhys Jones and rising firearms homicides (provisional Home Office figures indicate that there were 58 firearms-related homicides in England and Wales in 2006-07 compared with 49 in the previous year). The unit will have a £1 million budget, and will report in February or March 2008. It will concentrate on local supply of firearms to gangs in London, Manchester, Liverpool and Birmingham, on criminal armourers, on ports of entry and the postal system. It will seek to bring together a number of agencies, which have hitherto not necessarily placed illegal firearms supply at the top of their priorities. These will include SOCA (Serious Organized Crime Agency), Customs & Revenue, the postal authorities, and the Foreign & Commonwealth Office. The ministerial task force involves other relevant ministries, local government and community groups, and is to develop a five year programme on a range of violent crime, including gun and knife crime, and has commissioned the proposed Home Office overview of violent DVDs by Dr Tanya Byron.

A presentation about NFIC (the National Firearms Intelligence Cell), which is working with the above specialist national police unit. Founded in December 2006, NFIC is a multi-agency unit, involving Customs & Revenue, the Border & Immigration Agency, SOCA, the West Midlands Police and the Metropolitan Police. Its role is to act as a centre of expertise on the criminal use of firearms and the law enforcement response. Its work-plan embraces conversions and reactivations, legislation, internet sales that are

‘legal’ in the country of origin but break UK law when the purchases arrive here, vulnerable borders, the cultural use of firearms, theatres of war and a European threat assessment. It has also expressed interest in areas of ‘legal ambiguity’, which may well be of great interest to the BSSC if any proposed solutions might impact adversely on the legitimate shooter.

Lead & Noise Working Group (formerly Lead Shot Working Group):

This BSSC Group has held two meetings during the Quarter, and has been working on two specific areas: sound attenuation, particularly on clay shooting grounds, and the preparation of a paper on this subject by Dr John Harradine at the World Forum Workshop on Shooting Ranges: Lead Reclamation, Sound Attenuation, and Backstop Construction (see below under World Forum). This involved a survey of clay shooting grounds carried out by the Clay Pigeon Shooting Association and the British Association for Shooting and Conservation. The Group will meet again in January.

Practitioners meeting (BSSC, police, Home Office and Forensic Science Service):

The next meeting of the Practitioners Group is not scheduled until 30th October.

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

On 21st September, Walter Drummond-Murray of Criminal Law & Licensing in Edinburgh indicated that on 1 November Ministers will be granted order-making powers to be used to introduce a licensing scheme for knife dealers, and that in due course they will seek to consult on a draft order and guidance, including details of record keeping requirements. The raising of the age at which crossbows may be purchased from 17 to 18 took place on 1st October, to coincide with the change in the law in England and Wales.

Section 58(2) obsolete calibres list:

As reported in July, a ‘work in progress’ draft of a simplified system, drafted by Bill Harriman and the Secretary, was submitted for comment to the Home Office, Forensic Science Service and ACPO Firearms and Explosives Licensing Working Group on 20th June. Some comments have been received, and minor re-drafting undertaken. It will be discussed again in October.

Violent Crime Reduction Act:

The Rules and Regulations were published on the Home Office’s website on 13th September, and can be found on:

http://www.opsi.gov.uk/si/si2007/uksi_20072605_en.pdf

http://www.opsi.gov.uk/si/si2007/uksi_20072606_en.pdf

Westminster Fair:

As mentioned in the last Report, this year's Fair for MPs and Peers is planned for Monday 26th November and the theme will be 'Shooting-the Sport of a Million People'.

World Forum:

An international symposium organized by World Forum, entitled "Workshop on Shooting Ranges: Lead Reclamation, Sound Attenuation, Backstop Construction", was held in Palermo, Italy on 2nd and 3rd October, at which Dr John Harradine (BASC) and Major Frank Compton (MoD) gave papers of great interest. The 30 participants included the world's leading authorities on shooting range design and management, who listened to presentations related to lead management, sound attenuation and projectile containment. The meeting gave an overview of the latest technologies, innovations and developments in various countries. The Proceedings will be published in December 2007.

The Secretary attended the meetings of World Forum held in Palermo on 4th and 5th October 2007, following the Workshop. While there, he was involved in further discussions on the expansion of the WFSA's website and chaired the Executive Committee. The Executive Committee meeting was preceded by meetings of the Legislative, Statistics and Environmental Sub-Committees and the Manufacturers' Action Group. Apart from the Arms Trade Treaty and the EU Directive, major issues were increasing problems associated with flying with firearms, postal problems involving firearms and environmental matters.

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