

Legislative Update, 3rd Quarter June – September 2022

Legislative and Home Office

Firearms Safety Consultation: On July 15 the Government published its response to the consultation on Firearms Safety, a wide-ranging consultation which affected all sections of the shooting community and especially target shooters. On high muzzle energy rifles the Government confirmed that it would be mandating level 3 security for HME rifles through a change to the Firearms Rules. On air weapons, the Government announced that it would not be removing the exemption allowing 14-17 year olds to shoot on private premises with consent. Instead it would be clarifying the ‘reasonable precautions’ required for air weapon storage and working with industry to improve safety and security. On miniature rifle ranges, it was announced that range operators would in future be required to hold an FAC. On ammunition and reloading, the Government proposed to make it an offence to possess component parts with intent to assemble unauthorised *quantities of* ammunition. BSSC responded on this last point by suggesting that an offence “to possess component parts with intent to assemble *unauthorised* ammunition” would be sufficient to catch the criminal manufacturer whilst protecting the legitimate home loader. This change was subsequently accepted by the Home Office. The outcome of this long and complex consultation, given the pressures, was overall, therefore, a successful and acceptable one to the shooting community.

Firearms Fees Review: On July 25, the Home Office updated BSSC on the progress of its Fees review, explaining changes to the collection of data about the processing of certificate grant and renewal by a range of forces. It also agreed to clarify with HM Treasury which activities fall within ‘compliance and monitoring’ and which fall within ‘enforcement’ so that licencing costs could be properly apportioned and take account of cost saving on-line processes. A further fees meeting was scheduled for September but postponed until November.

Review of Statutory Guidance: On August 25 the Home Office announced a review of the new Statutory Guidance to Chief Officers of Police, which was introduced in November 2021 and so has had some months in operation. BSSC and HBSA responding to the review, expressed concerns over the clarity and layout of the medical information proforma. It was also suggested that a stronger message needed to be sent to GPs about the fact that no liability would attach to them in respect of information provided about applicants. It was suggested that the requirement for a ‘practice stamp’ on medical checks is an anachronism. BSSC also advised better guidance in situations leading up to, during and following the surrender or seizure of firearms, plus a firm requirement for forces to issue a letter where the validity of certificates had been extended under S28B. The Home Office will be looking at all these points.

Home Office review of Approved Clubs Liaison Officers: Discussion over the role of Home Office Approved Club police liaison officers proceeded at a meeting of the Home Office ‘Task and Finish’ group on September 29. It was agreed that BSSC would discuss the matter with the governing bodies of target shooting and would offer its proposals for a formalisation of the role of the police liaison officer.

Rollout of the Medical Marker: BSSC was advised by the Home Office of the commencement of rollout of the digital marker to GPs in 90% of English practices. The new digital marker is designed to assist GPs with providing information about relevant medical conditions and advising police forces accordingly as part of the licensing process. The digital firearms marker on a person’s medical record is also expected to help GPs to alert police forces to a change in a person’s medical circumstances if there are any relevant medical conditions for the purposes of firearms licensing. Regrettably the announcement did not apply in Wales, where difficulties with GP practices remain.

Scottish Affairs Committee: The House of Commons Scottish Affairs Committee announced an enquiry into firearms licensing following a group of shootings which occurred on Skye and in Wester Ross on August 10. BSSC responded by commenting that the requirement for GPs to place the marker on a certificate holder's medical record was unacceptably weak and repeated its proposal that there should be a Statutory duty upon GPs to do this. BSSC commented favourably upon the efficiency of Police Scotland in certificate grants and renewals and commended the Scottish initiative on firearms and mental health.

Wild Game Guide: The Food Standards Agency published a revision of the Wild Game Guide with minor changes which clarify the legal status of wild game guidance to reflect retained EU law and which incorporate practical changes to the layout to improve readability.

Police

Criminal Use of Firearms Prevent Board: A further meeting of the National Crime Agency's Prevent Board was held in July. There was an update of the criminal use of firearms threat response in which it was noted that the picture concerning firearms offences had not changed significantly, with urban street gangs primarily responsible for firearm discharges. Monthly firearm recoveries remained stable. There was a discussion about the security of the paper firearm certificate and the potential for forgery. There was a discussion about the illicit trade in firearms in post-conflict states.

Licensing delays: The temporary halt on new grants during the Covid pandemic has in large measure been responsible for the very serious backlog of firearms licensing work which now affects most forces in Great Britain. The problem has become so serious that it is significantly affecting both certificate holders and the gun trade. At a BSSC Council meeting in July, a representative of NPCC FELWG was invited to comment on delays and other issues affecting firearms licensing. Council members (including HBSA) expressed great concern over delays, where in some cases, 8 week renewal extensions were running out. Unnecessary costs were incurred in storage in some cases, and staff were being laid off in the gun trade. Other issues raised were a reluctance of some forces to deal with paper applications (which should continue to be available where the applicant has no alternative), poor communications between licensing departments and certificate holders and inadequate staff training. All these matters and others were taken away for consideration by NPCC FELWG.

Thames Valley stakeholders group: Myself for HBSA and the BSSC Secretary attended a meeting of the TVP Stakeholder Group on August 9 which considered staff training, medical report delays and the lessons learned from Covid. There was discussion regarding the new College of Policing training standards and concern was expressed over the time taken for TVP to receive a medical check from an applicant's GP. This was taking on average between 8 and 10 weeks. TVP are currently largely free of the Covid backlogs which are dogging other forces, and are now in the top 20% of forces regarding turnaround times for grants and renewals. Subsequently TVP held a "meet your FLD team" get together which both I and BSSC Secretary attended.

Scottish Practitioners group: BSSC attended the first 'in-person' meeting since the Covid pandemic. There was discussion about the new Mental Health leaflet that had been produced by the group and which was now being distributed. Police Scotland reported on firearms licensing statistics. Certificates were renewed on average 9 days prior to expiry, with 99.3% of certificates being renewed before they expired. There was an 'avalanche' of new grant applications for Air Weapon Certificates. There were significant numbers of variations from .243 Win to 6.5 Creedmoor, and Nature Scot were proposing to reduce the minimum bullet weight for shooting large deer to 80 grains/1,700 ft lb. Nature Scot had concluded its work on image intensifiers and it was likely that such devices would be allowed in future for deer shooting as part of a Wildlife Bill.

Lead Ammunition

UK REACH: Much of the period was spent reviewing information for inclusion within the upcoming BSSC response to the HSE Annex XV Restriction Dossier on lead in ammunition. BSSC Council agreed the formation of a Working Group to progress the shooting sports and gun trade response, so that all BSSC associations could align their positions as much as possible. Two meetings of the Working Group were held at the offices of the CPSA at Bisley. At the first meeting on August 2 the questions posed by HSE were reviewed in detail and all associations present agreed to assemble data on ammunition usage in their particular sphere of shooting sports. At the second meeting on September 30, there was a review of meetings held between HSE and the shooting associations and a number of general principles were established with regard to the response by shooting sports. While the transition to non-lead by live quarry shooting was acknowledged, target shooting regarded its use of lead as contained, controlled and recyclable and thus felt no need for a move to non-lead ammunition. It was stressed that in case of any transition, realistic transition periods would be required for any movement away from lead and there was recognition that sub 6.5mm rifles (including all airguns and rimfire) were unable at the present time to switch to non-lead. The position of muzzle loading and historic breechloading arms was established, and there was discussion about management of lead at rifle ranges and clay grounds.

HBSA had a number of useful meetings with HSE/EA, both by video and personal, as indeed have BSSC and other members of the shooting community. Once HSE/EA have gathered all the information offered on this topic by the whole shooting community, there will be a Risk Assessment and Socio-Economic process, expected next Spring, in which we will be invited to engage, prior to their final submission to Government expected next Summer.

From our own discussions and submissions they recognise that in principle Heritage/Historic/Vintage arms should be preserved for future generations and for study and research, and that both museums and private collectors are involved in this. We have made the case that Historic/Heritage/Vintage Arms, of all forms, both breechloading and muzzle loading (BL & ML) were designed for use with lead ammunition, both lead bullets (BL & ML) and jacketed lead core bullets (BL), also lead shot for use in historic shotguns (BL & ML) and thus such ammunition should be preserved for use with those arms, which they noted and recognised.

Historic and heritage firearms cover all classes of firearms used, both breech loading and muzzle loading: airguns, .22RF, centre-fire rifles, pistols, and shotguns.

We consider that we have made our case on this very wide topic, along with the whole community, and we will await the next steps in 2023, and then the ensuing discussion with Government following their receipt of the HSE/EA report.

Indoor ranges are not within scope of the review.

Value of Shooting

Following the move to a new contractor, Cognisense, and the inevitable delays which this occasioned, the BSSC Secretary attended a steering group meeting on July 18 and ensured that all BSSC member logos were included in the online documentation. There was then a formal launch of the VoS questionnaire to the shooting public at the Game Fair, after which BSSC member associations launched tailored versions of the survey to their own members. HBSA members responded well. The survey closed on September 30.

International

WFSA conference: The BSSC Secretary attended the annual autumn conference of WFSA which was held in Ottawa, Canada, on September 20-21. There was a review of WFSA activity at the UN Programme of Action meeting in New York, which established an Open Ended Technical Expert Group to consider modular arms, polymer arms, 3D printing and possibly the role of biometrics, but with industry representatives involved. There was also consideration of the UN working group on ammunition held in Geneva from August 15-19. The involvement of industry was acknowledged and recognised. WFSA agreed to create 2 working groups on international trade issues covering air, sea and land freight providers refusing to transport firearms, ammunition or other goods and refusal of banks and financial institutions to support firearms related clients. The subcommittees will invite input from WFSA member associations and it is hoped that this work may develop proposals to remedy obstacles and constraints.

WFSA research papers: In his new capacity as President of WFSA, the BSSC Secretary attended meetings to progress review papers on aspects of the impact of lead ammunition on bird populations and on human health. The first of these papers, an appraisal of bird mortality by Dr Carolyn Meyer, was published in the online journal Plos One. It questioned the methodology used to generate statistics on bird deaths allegedly caused by ingestion of lead from ammunition.

FACE: As a member of the FACE Ammunition Working Group, the BSSC Secretary assisted with the production of data on lead ammunition usage in the UK. This was of assistance in the preparation by FACE of a robust response to the consultation on proposed restrictions on the use of lead by the ECHA Committee for Socio-Economic Analysis SEAC. The response was circulated to BSSC members along with responses by EU gun trade associations AFEMS and IEACS. The BSSC Secretary attended a meeting of FACE UK at the Game Fair at Ragley Hall in July.

Conclusion As may be noted, HBSA active participation as a member of BSSC, and working with them, and with other BSSC members, continues to be an essential part of protecting our interests and the future for the whole shooting and collecting community.

Derek Stimpson November 2022