

Minister for Victims and Community Safety
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 **Scottish Government**
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Audrey Nicoll MSP
Convener
Criminal Justice Committee
Scottish Parliament
Edinburgh
EH99 1SP

23 February 2024

Dear Convener,

FIREWORKS AND PYROTECHNIC ARTICLES (SCOTLAND) ACT 2022

I have today answered a Government Initiated Question to inform Parliament that after careful consideration and assessment of the significant financial pressures the Scottish Government is facing following the UK Government's budget settlement, the Government has decided to extend the timeframe for delivery and implementation of the firework licensing requirement (Part 2 of the Act) to 2026. A pause to the implementation of restrictions to the days of supply and use of fireworks (within Part 3 of the Act), was already outlined to the Criminal Justice Committee in March 2023.

This decision follows a particularly difficult budget and I am conscious of the need to focus our resources on our frontline public services - police, fire, prisons, and community justice - to deliver the greatest impact in improving outcomes for our communities. In view of this, we will now consider cost-effective approaches to progress delivery of the fireworks licensing requirement, working to a timeline of early 2026.

I am aware that my decision comes in the wake of events over last year's Bonfire Night which was used as an opportunity to cause localised public disorder by a small number of individuals. Having witnessed Operation Moonbeam, the multi-agency response to Bonfire Night first-hand, I am aware that whilst fireworks were involved in the disorder at hotspot areas, they were not the only - or in some cases the main focus - of the disorder. In the most serious incidents, several other types of projectiles such as bricks and petrol bombs were used, with the underlying problem being one of anti-social behaviour and Bonfire Night being used a pretext for unacceptable organised attacks on our emergency services.

Within the powers available to us, the Scottish Government has taken a series of proportionate steps to strengthen the law around access to and use of fireworks. As you will be aware, the overarching objective of the Act is to protect public and community safety by ensuring that fireworks and pyrotechnics do not cause harm, distress, or serious injury.

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The Act introduced a suite of measures aimed at encouraging the safe, lawful, and appropriate use of fireworks and to date the other four of six measures provided for within the Act have been implemented:

- A prohibition on providing or making available fireworks or pyrotechnic articles to children;
- A new statutory aggravation for courts sentencing offenders where fireworks or pyrotechnic articles were used to attack emergency workers;
- New discretionary powers for local authorities to designate firework control zones; and
- New offences of possession of pyrotechnics in public places and at designated venues and events.

I hope the Committee finds this information helpful and understands the decision taken considering the unprecedented financial challenges I have detailed. Please let me know if you require any further information.



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